

BY AUTHORITY

ORDINANCE NO.
SERIES OF 2015

COUNCIL BILL NO. CB15-0822
COMMITTEE OF REFERENCE:
Infrastructure & Culture

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 Executive Director 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 Executive Director of Public Works has the authority to expend for the purposes stated herein;

(c) The Executive Director 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 Executive Director 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

1 assessed against the real properties, exclusive of improvements thereon benefited within said local
2 maintenance district as follows:

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

6 ALKIRE BROTHER'S ADDITION TO BROADWAY TERRACE
7 BLOCK 1

8 Lots	
9 11-13 and the North 1/2 of Adj. Vacated West Irvington Place, inclusive	\$3,307.74
10 14-17, inclusive	\$2,875.50
11 18-20, inclusive	\$2,156.63

12
13 MONTELIUS & WALKER ADDITION
14 BLOCK 1

15 Lots	
16 1-3, inclusive	\$7,770.07

17
18 BROADWAY TERRACE
19 BLOCK 13

20 Lots	
21 15-16, South 16.24' 17, inclusive	\$3,021.69
22 North 33.76' 17, 18, South 1/2 19, inclusive	\$3,129.90
23 North 1/2 19, 20, inclusive	\$2,158.35

24
25 BUSBY AND WILLIAMS RESUBDIVISION OF BLOCK SIX AND PART OF BLOCK
26 SEVEN IN GALLUP'S SOUTH BROADWAY SUBDIVISION
27 BLOCK 6

28 Lots	
29 2-6, Exc rear 6', inclusive	\$4,913.56

30
31 BYERS SUBDIVISION
32 BLOCK 38

33 Lots 1-5, inclusive, and the south half of adjacent vacated west Nevada Pl., 34 and the east half of the vacated alley adjacent to Lot 5. 35 Schedule #0515204042000	\$4,690.82
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36 Lots 44-48, inclusive, and the east half of the vacated alley adjacent to Lot 44. 37 Schedule #0515204047000	\$3,683.59
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38
39 BLOCK 40

40 Lots	
41 1-5, inclusive	\$3,683.59

42 Byers Sub B40 43-48 Exc 43 Beg SW Cor 43 Th N 128.03' W 44 5.39' S 128.03Ft W 5.39' to 45 POB, inclusive	\$3,683.59
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1	BLOCK 44	
2	All of Block 44, and the west half of adjacent vacated South Bannock St.,	
3	and the north half of adjacent vacated west Nevada Pl.; Excepting there	
4	from the north 10 feet of said Block 44	
5	Schedule #0515202033000	\$18,274.05
6		
7	BLOCK 45	
8	Lots	
9	25-27, inclusive	\$2,158.35
10	28, West 1/2 29, inclusive	\$1,079.18
11	East 1/2 29, 30, inclusive	\$1,079.18
12	31-34, inclusive	\$2,877.80
13	35-39, West 1/2 40, inclusive	\$3,956.98
14	East 1/2 40, 41, inclusive	\$1,079.18
15	42, West 1/2 43, inclusive	\$1,079.18
16	44-48 & East 1/2 43, inclusive	\$3,956.98
17		
18	BYERS RESUBDIVISION OF BLOCKS 37 AND 39	
19	BYERS SUBDIVISION	
20	BLOCK 37	
21	Lots	
22	1-24, 44-49, the vacated alley adj. to Lot 6, the East 1/2 of Adj. Vacated South	
23	Bannock Street and the North 1/2 of Adj. Vacated West Nevada Place, inclusive	\$26,289.88
24		
25	BLOCKS 39 - 42	
26	That portion of land as described in Schedule Number 0515205015000	\$3,827.48
27	That portion of land as described in Schedule Number 0515205017000	\$3,684.45
28	Block 39-42 & T4 R68 S15 NW/4 & Vac Ss. & Alys. Adj. Dif Und. Doc 4/9/96A,	
29	Inclusive	\$17,396.90
30		
31	EXPOSITION ADDITION	
32	BLOCK 1	
33	Lots	
34	1-7, inclusive	\$5,036.15
35	8-10, inclusive	\$2,158.35
36	11-12, inclusive	\$1,438.90
37	13-14, inclusive	\$1,438.90
38	15-16, inclusive	\$1,438.90
39	17	\$719.45
40	18-21, North 6.25' 22, inclusive	\$3,057.67
41	South 1/2 23, 24, inclusive	\$1,978.49
42		
43	GALLUP'S RESUBDIVISION OF BLOCK 4 AND PART OF BLOCK 5 OF	
44	GALLUP'S BROADWAY SUBDIVISION	
45	BLOCK 4	
46	Lots	
47	1-4, inclusive	\$2,618.80
48	5-6, inclusive	\$1,438.90
49	7-9, North 20.8' 10, inclusive	\$2,756.93

1	South 4.2' 10, 11-12, inclusive	\$840.32
2	BLOCK 5	
3	Lots	
4	North 50' West 1/2 Block 5	\$1,438.90
5	South 50' North 100' West 1/2 Block 5	\$1,438.90
6		
7	GREENWAY'S RESUBDIVISION OF BLOCK 36 BYER'S SUBDIVISION	
8	BLOCK 36	
9	Lots	
10	9-10, inclusive	\$3,856.26
11	11, East 8.33' 12, inclusive	\$959.17
12	West 16.67' 12, East 21.67' 13, inclusive	\$1,103.35
13	West 3.33' 13, 14, East 5' 15, inclusive	\$959.17
14	West 20' 15, East 11.67' 16, inclusive	\$911.40
15	West 13.33' 16, East 18.33' 17, inclusive	\$911.11
16	West 6.67' 17, 18, inclusive	\$911.40
17	19, East 1/2 20, inclusive	\$1,036.01
18	West 1/2 20, 21, 22, inclusive	\$1,841.80
19	23-28, inclusive	\$4,316.70
20		
21	KETTLE'S ADDITION TO DENVER	
22	BLOCK 3	
23	Lots	
24	1-24 & Vacated Alley, inclusive	\$8,633.41
25		
26	ONE BROADWAY PLAZA SUBDIVISION	
27	BLOCK 1	
28	That part of One Broadway Plaza Subdivision, defined as follows: Beginning at the	
29	southwest corner of Broadway and Vacated West Irvington Place; thence southerly along	
30	the west line of Broadway a distance of 259.93 feet; thence westerly on an angle to the right	
31	of 89°56' 37" a distance of 165.50 feet; thence northerly on an angle to the right of	
32	90°03'23" a distance of 112.70 feet; thence easterly on an angle to the right of 90°00'00" a	
33	distance of 17.50 feet; thence northerly on an angle to the right of 90°00'00" a distance of	
34	33.00 feet; thence on an angle to the right of 90°00'00" a distance of 18.75 feet; thence	
35	northerly on an angle to the right of 90°00'00" a distance of 114.21 feet to the south line of	
36	Vacated West Irvington Place; thence easterly along said south line a distance of 166.75 feet	
37	to the Point of Beginning, and the south 1/2 of adjacent Vacated West Irvington Place.	
38		\$8,631.39
39	PATTERSON'S SUBDIVISION	
40	BLOCK 1	
41	Lots	
42	1-5, 47, adj. vacated alley, inclusive	\$3,597.25
43	North 75' 6-8, and the North 75' of the East 15' 9, inclusive	\$2,158.35
44	9 Exc. the North 75' of the East 15' and 10-12, inclusive	\$1,438.90
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1	PIERCE AND HINMAN'S ADDITION TO BROADWAY TERRACE	
2	BLOCK 1	
3	Lots	
4	1-4, inclusive	\$2,874.35
5	5	\$718.59
6	6	\$718.59
7	7	\$718.59
8	8, North 16' 9, inclusive	\$1,179.04
9	South 8.97' 9, 10, North 16' 11, inclusive	\$1,437.17
10	South 8.97' 11, 12, inclusive	\$976.73
11	13	\$718.59
12	14	\$718.59
13	15	\$718.59
14	16-17, inclusive	\$1,437.17
15	18-19, inclusive	\$1,437.17
16	20-22, inclusive	\$2,155.76
17	23-24, inclusive	\$1,322.06
18		
19	POMEROY'S SOUTH BROADWAY SUBDIVISION	
20	BLOCK 1	
21	1-6, and the North 22.5' Lot 1, Block 2, inclusive	\$4,831.83
22		
23	BLOCK 2	
24	Lots	
25	1 Exc. the North 22.5', 2-3, inclusive	\$1,516.89
26	4, North 10.07' 5, inclusive	\$1,011.26
27	South 15' 5, 6 and Lots 1-4, Block 3, inclusive	\$4,039.00
28		
29	BLOCK 3	
30	Lots	
31	5-6 and Lot 1, Block 4, inclusive	\$2,164.40
32		
33	BLOCK 4	
34	2	\$721.47
35	3	\$721.47
36	4-6, inclusive	\$2,019.93
37		
38	SNYDER'S SUBDIVISION TO DENVER	
39	BLOCK 1	
40	West 125' 1-5, inclusive	\$3,523.87
41	West 125' 6-7, inclusive	\$1,409.55
42	West 125' 8-9, inclusive	\$1,409.55
43	West 125' 10-15, inclusive	\$4,228.64
44	West 125' 16-17, inclusive	\$1,409.55
45	West 125' 18-19, inclusive	\$1,409.55
46	West 125' 20-21 and a Strip 0.85' Wide on the West and 0.95' Wide on the East on the	
47	North Side of the West 125' Lot 22, inclusive	\$1,434.01
48	West 125' 22 Exc. a Strip 0.85' Wide on the West and 0.95' Wide on the East on the	
49	North Side of the West 125' Lot 22, West 125' 23-24, inclusive	\$2,089.86

1 UNPLATTED

2 That part of the SE 1/4, NW 1/4, Section 15, T.4S., R.68W. of the 6th P.M. bounded by
3 the west line of South Broadway, a line 158 feet west of and parallel with said west line,
4 the south line of Vacated West Virginia Avenue and a line 589.77 feet south of and
5 parallel with said south line.

\$3,539.70

6
7 The south 42 feet of the NE 1/4, of the SE 1/4, of the NW 1/4 of SEC 15, TWP 4S,
8 RNG 68W of the 6th PM, City and County of Denver, State of Colorado. Schedule
9 #0515200037000

\$1,208.68

10

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

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

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

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1 COMMITTEE APPROVAL DATE: October 29, 2015 [by consent]
2 MAYOR-COUNCIL DATE: November 3, 2015
3 PASSED BY THE COUNCIL: _____, 2015
4 _____ - PRESIDENT
5 APPROVED: _____ - MAYOR _____, 2015
6 ATTEST: _____ - CLERK AND RECORDER,
7 EX-OFFICIO CLERK OF THE
8 CITY AND COUNTY OF DENVER
9 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____, 2015; _____, 2015
10 PREPARED BY: Jo Ann Weinstein, Assistant City Attorney DATE: November 5, 2015
11 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
12 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
13 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
14 §3.2.6 of the Charter.
15 D. Scott Martinez, City Attorney
16 BY: _____, Assistant City Attorney DATE: _____, 2015