

**BY AUTHORITY**

ORDINANCE NO. \_\_\_\_\_  
SERIES OF 2023

COUNCIL BILL NO. CB23-1627  
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 West 38<sup>th</sup> Avenue Phase I 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 the Department of Transportation and Infrastructure that an ordinance be enacted for the purpose of assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the West 38<sup>th</sup> Avenue Phase I Pedestrian Mall Local Maintenance District (“West 38<sup>th</sup> Avenue Phase I 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 West 38<sup>th</sup> Avenue Phase I Pedestrian Mall, was created by Ordinance No. 653, Series of 1998;

(b) The annual cost of the continuing care, operation, repair, maintenance and replacement of the West 38<sup>th</sup> Avenue Phase I Pedestrian Mall is \$36,400.00, which amount the Executive Director of the Department of Transportation and Infrastructure has the authority to expend for the purposes stated herein;

(c) The Executive Director of the Department of Transportation and Infrastructure 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 the Department of Transportation and Infrastructure; and

(d) The real property within the West 38<sup>th</sup> Avenue Phase I 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 West 38<sup>th</sup> Avenue Phase I Pedestrian Mall.

1           **Section 2.** The annual cost of the continuing care, operation, repair, maintenance, and  
2 replacement of the West 38<sup>th</sup> Avenue Phase I Pedestrian Mall to be assessed against the real  
3 properties, exclusive of improvements thereon, benefited are hereby approved.

4           **Section 3.** The annual costs of the continuing care, operation, repair, maintenance, and  
5 replacement of the West 38<sup>th</sup> Avenue Phase I Pedestrian Mall in the amount of \$36,400.00 are  
6 hereby assessed against the real properties, exclusive of improvements thereon, 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 shall  
9 be the total for all lots in the series. Where a series of lots is not followed by “inclusive”, the amount  
10 appearing after such series shall be the assessment for each lot in the series.

11  
12 DOWNING'S ADDITION TO NORTH DENVER  
13 BLOCK 21

14 Lots

15 15, except easterly 9'	\$2,829.49
16 16 and the easterly 1/2 of vacated alley	\$3,243.28

17  
18 VIADUCT ADDITION TO DENVER  
19 BLOCK 47

20 Lots

21 15-16	\$3,042.46
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22  
23 BLOCK 48  
24 Lots

25 15-16	\$3,042.46
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26  
27 BLOCK 50  
28 Lots

29 1	\$3,042.46
30 30	\$3,042.46

31  
32 BLOCK 51  
33 Lots

34 1	\$2,945.09
35 30	\$3,042.46

36  
37 BLOCK 52  
38 Lots

39 1	\$3,042.46
40 30	\$3,042.46

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

