BY AUTHORITY ORDINANCE NO. _____ COUNCIL BILL NO. CB23-1627 SERIES OF 2023 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 38th 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 38th Avenue Phase I Pedestrian Mall Local Maintenance District ("West 38th 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 38th 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 38th 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 38th 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 38th Avenue Phase I Pedestrian Mall.

Section 2. The annual cost of the continuing care, operation, repair, maintenance, and replacement of the West 38th Avenue Phase I 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 West 38th Avenue Phase I Pedestrian Mall in the amount of \$36,400.00 are hereby assessed against the real properties, exclusive of improvements thereon, within said local maintenance district as follows:

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

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9	be the total for all lots in the series. Where a series of lots is not followed	
10	appearing after such series shall be the assessment for ea	ach lot in the se
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
22		
23	BLOCK 48	
24	Lots	
25	15-16	\$3,042.46
26		
27	BLOCK 50	
28	Lots	
29	1	\$3,042.46
30	30	\$3,042.46
31		
32	BLOCK 51	
33	Lots	

34 1 35 30 36 37 BLOCK 52 38 Lots 39 1

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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.

\$2,945.09 \$3,042.46

\$3,042.46

\$3,042.46

Section 5. Without demand, said assessmer	nts 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 las			
day of February of the year next following the year	ar in which this assessing ordinance became		
effective. A failure to pay said assessments as hereinabove set forth shall become a lien on the			
property subject to the assessment, and such lien ma	ay be sold by the City as provided by the Charter		
and ordinances of the City and County of Denver.			
Section 6. Any unspent revenue and rev	enue generated through investment shall be		
retained and credited to the West 38 th Avenue Phase I Pedestrian Mall Local Maintenance District			
for future long term or program maintenance of the District.			
COMMITTEE APPROVAL DATE: October 31, 2023 by Consent			
MAYOR-COUNCIL DATE: November 7, 2023 by Consent			
PASSED BY THE COUNCIL: November 20, 2023			
And I	PRESIDENT		
APPROVED:			
ATTEST:	- CLERK AND RECORDER,		
	EX-OFFICIO CLERK OF THE CITY AND COUNTY OF DENVER		
NOTICE PUBLISHED IN THE DAILY JOURNAL:			
PREPARED BY: Bradley T. Neiman, Assistant City			
Pursuant to section 13-9, D.R.M.C., this proposed of City Attorney. We find no irregularity as to form ordinance. The proposed ordinance is not submitted § 3.2.6 of the Charter.	and have no legal objection to the proposed		
Kerry Tipper, Denver City Attorney			
BY: Anshul Bagga , Assistant City A	ttorney DATE: Nov 8, 2023		