

1 **BY AUTHORITY**

2 ORDINANCE NO. _____
3 SERIES OF 2019

COUNCIL BILL NO. CB19-1153
COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

5 **A BILL**

6 **For an ordinance assessing the annual costs of the continuing care, operation,**
7 **repair, maintenance and replacement of the 32nd and Lowell Pedestrian Mall**
8 **Local Maintenance District upon the real property, exclusive of improvements**
9 **thereon, benefited.**

10
11 **BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:**

12 **Section 1.** Upon consideration of the recommendation of the Manager of Public Works that
13 an ordinance be enacted for the purpose of assessing the annual costs of the continuing care,
14 operation, repair, maintenance and replacement of the 32nd and Lowell Pedestrian Mall Local
15 Maintenance District (“32nd and Lowell Pedestrian Mall”), for the upcoming year, upon the real
16 property, exclusive of improvements thereon, benefited, the Council finds, as follows:

17 (a) A local maintenance district providing for the continuing care, operation, repair,
18 maintenance and replacement of the 32nd and Lowell Pedestrian Mall, was created by Ordinance
19 No. 785, Series of 1992;

20 (b) The annual cost of the continuing care, operation, repair, maintenance and
21 replacement of the 32nd and Lowell Pedestrian Mall is \$53,116.00, which amount the Manager of
22 Public Works has the authority to expend for the purposes stated herein;

23 (c) The Manager of Public Works has complied with all provisions of law relating to the
24 publishing of notice to the owners of real properties to be assessed and to all persons interested
25 generally, and the Council sitting as a Board of Equalization has heard and determined all written
26 complaints and objections, if any, filed with the Manager of Public Works;

27 (d) The real property within the 32nd and Lowell Pedestrian Mall will be benefited in an
28 amount equal to or in excess of the amount to be assessed against said property because of the
29 continuing care, operation, repair, maintenance and replacement of said 32nd and Lowell Pedestrian
30 Mall.

31 **Section 2.** The annual costs of the continuing care, operation, repair, maintenance and
32 replacement of the 32nd and Lowell Pedestrian Mall to be assessed against the real properties,
33 exclusive of improvements thereon, benefited are hereby approved.

34 **Section 3.** The annual costs of the continuing care, operation, repair, maintenance and
35 replacement of the 32nd and Lowell Pedestrian Mall in the amount of \$53,116.00 are hereby

1 assessed against the real properties, exclusive of improvements thereon, 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 shall
4 be the total for all lots in the series. Where a series of lots is not followed by "inclusive", the amount
5 appearing after such series shall be the assessment for each lot in the series.

6
7 SECOND FILING OF A PORTION OF HIGHLAND PARK
8 BLOCK 57

9 Lots	
10 23-24	\$374.49
11 25-39, inclusive	\$11,882.05
12 40-48, inclusive	\$5,647.67

13
14 KOUNTZE HEIGHTS
15 BLOCK 1

16 Lots	
17 23-24 and the west 1/2 of Lot 22, inclusive	\$2,388.50

18
19 BLOCK 2

20 Lots	
21 1 & east 18.75' of Lot 2, inclusive	\$1,669.97
22 3 and the east 1/2 Lot 4 & west 6.25' of Lot 2, inclusive	\$1,669.97
23 Lot 5 and the west 1/2 of Lot 4, inclusive	\$1,012.15
24 6	\$607.29
25 7	\$607.29
26 8-10, inclusive	\$2,388.62
27 11	\$607.29
28 12	\$607.29
29 13 and the east 5' of Lot 14, inclusive	\$769.22
30 West 20' of Lot 14 and the east 10' of Lot 15, inclusive	\$769.22
31 West 15' of Lot 15 and the east 15' of Lot 16, inclusive	\$769.22
32 West 10' of Lot 16 and the east 20' of Lot 17, inclusive	\$769.22
33 18 and the west 5' of Lot 17, inclusive	\$769.22
34 19	\$607.29
35 20	\$607.29
36 21-24, inclusive	\$3,825.78

37
38 PACKARDS HILL SUBDIVISION
39 BLOCK 1

40 Lots	
41 1-4, inclusive	\$3,785.33
42 5-10 (Adjusted), inclusive	\$2,429.14
43 West 100' of Lots 47-50, inclusive	\$2,530.26
44 East 25' of Lots 47-50, inclusive	\$445.33

45
46
47
48
49 WOLFF PLACE

1	BLOCK 5	
2	Lots	
3	East 31'9" of the west 63'6" of Lots 1-4, inclusive	\$587.10
4	East 31'9" of the west 95'3" of Lots 1-4, inclusive	\$546.56
5	East 31'10" of Lots 1-4, inclusive	\$526.29
6	W. 31'9" of Lots 1-4, inclusive	\$647.82
7	46-48, inclusive	\$2,894.66

8
9 **Section 4.** The assessments made pursuant hereto shall be a lien in the several amounts
10 assessed against each lot or tract of land set forth in Section 3 herein, and such lien shall have the
11 priority of the lien for local public improvement districts.

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

19 **Section 6.** Any unspent revenue and revenue generated through investment shall be
20 retained and credited to the 32nd and Lowell Pedestrian Mall Local Maintenance District for future
21 long term or program maintenance of the District.

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23 **[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK]**
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1 COMMITTEE APPROVAL DATE: October 29, 2019 by Consent

2 MAYOR-COUNCIL DATE: November 5, 2019

3 PASSED BY THE COUNCIL: _____

4 _____ - PRESIDENT

5 APPROVED: _____ - MAYOR _____

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

9 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____ ; _____

10 PREPARED BY: Bradley T. Neiman, Assistant City Attorney DATE: November 7, 2019

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

16 Kristin M. Bronson, Denver City Attorney

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18 BY: , Assistant City Attorney DATE: Nov 5, 2019