

BY AUTHORITY

ORDINANCE NO. _____

COUNCIL BILL NO. CB12-0829

SERIES OF 2012

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 South Broadway Streetscape (Wesley Avenue to Yale Avenue) 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 Manager 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 South Broadway Streetscape (Wesley Avenue to Yale Avenue) Local Maintenance District, 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 South Broadway Streetscape (Wesley Avenue to Yale Avenue) Local Maintenance District was created by Ordinance No. 145, Series of 2010;

(b) The annual costs of the continuing care, operation, repair, maintenance and replacement of the South Broadway Streetscape (Wesley Avenue to Yale Avenue) Local Maintenance District are \$44,970.00 which amount the Manager of Public Works has the authority to expend for the purposes stated herein;

(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 real property within the South Broadway Streetscape (Wesley Avenue to Yale Avenue) Local Maintenance District 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 costs of the continuing care, operation, repair, maintenance and replacement of the South Broadway Streetscape (Wesley Avenue to Yale Avenue) Local Maintenance District to be assessed against the real properties, exclusive of improvements thereon,

1 benefited are hereby approved.

2 **Section 3.** The annual costs of the continuing care, operation, repair, maintenance and
3 replacement of the South Broadway Streetscape (Wesley Avenue to Yale Avenue) Local
4 Maintenance District in the amount of \$44,970.00 are hereby assessed against the real properties,
5 exclusive of improvements thereon, within said local maintenance district as follows:

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

9
10 BREENLOW SUBDIVISION OF SOUTH DENVER
11 BLOCK 9

12	Lots 25-28, inclusive	\$1,250.06
13	Lot 29 & southerly 1/2 of Lot 30, inclusive	\$468.77
14	Lot 31 and northerly 1/2 of Lot 30, inclusive	\$468.77
15	Lots 32-33, inclusive	\$625.03
16	Lots 34-36, inclusive	\$937.55
17	Lots 37-42, inclusive	\$1,875.09
18	Lots 43-48, inclusive	\$1,875.09

19
20 BROADWAY HIGHLANDS
21 BLOCK 1

22	Lots 1-2, inclusive	\$625.03
23	Lots 3-8, inclusive	\$1,875.09
24	Lots 9-10, inclusive	\$625.03
25	Lots 11-12, inclusive	\$625.03
26	Lot 13 and northerly 1/3 of Lot 14, inclusive	\$417.02
27	Northerly 2/3 of Lot 15 & southerly 2/3 of Lot 14, inclusive	\$416.65
28	Lot 16 & southerly 1/3 of Lot 15, inclusive	\$416.65
29	Lots 17-18, inclusive	\$625.03
30	Lots 19-20, inclusive	\$625.03
31	Lots 21-22, inclusive	\$625.03
32	Lots 23-24, inclusive	\$625.03

33
34 BROADWAY HIGHLANDS 2ND FILING
35 BLOCK 1

36	Lots 1-7, inclusive	\$2,187.61
37	Lots 8-10, inclusive	\$937.55
38	Lots 11-12, inclusive	\$625.03
39	Front 85' of Lots 13-15, inclusive	\$937.55
40	Lots 16-24, inclusive	\$2,780.14

41
42 FISK'S BROADWAY ADDITION
43 BLOCK 1

44	Lots 25-28, inclusive	\$1,250.06
45	Lots 29-30, inclusive	\$625.03
46	Lots 31-33, inclusive	\$937.55
47	Lots 34-36, inclusive	\$937.55

1	Lots 37-39, inclusive	\$937.55
2	Lots 40-42, inclusive	\$937.55
3	Lots 43-44, inclusive	\$625.03
4	Lots 45-46, inclusive	\$625.03
5	Lots 47-48, inclusive	\$625.03
6		
7	Block 8	
8	Lots 25-30, inclusive	\$1,875.09
9	Lots 31-34, inclusive	\$1,250.06
10	Lots 35-40, inclusive	\$1,875.09
11	Lots 41-48, inclusive	\$2,500.13
12		
13	ROSEDALE	
14	BLOCK 21	
15	Lots 1-4, inclusive	\$1,250.06
16	Lots 5-7, inclusive	\$937.55
17	Lots 8-24, inclusive	\$5,312.77
18		

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

22 **Section 5.** Without demand, said assessments as set forth in Section 3 herein, shall be due
23 and payable on the first day of January of the year next following the year in which this assessing
24 ordinance became effective, and said assessments shall become delinquent if not paid by the last
25 day of February of the year next following the year in which this assessing ordinance became
26 effective. A failure to pay said assessments as hereinabove set forth shall subject the property
27 subject to the assessment to sale as provided by the Charter of the City and County of Denver.

28 **Section 6.** Any unspent revenue and revenue generated through investment shall be
29 retained and credited to the South Broadway Streetscape (Wesley Avenue to Yale Avenue) Local
30 Maintenance District for future long term or program maintenance of the District.

31

1 CONSENT AGENDA: (by Consent) November 1, 2012
2 MAYOR-COUNCIL DATE: (by Consent) November 6, 2012
3 PASSED BY THE COUNCIL _____ 2012

4 _____ - PRESIDENT

5 APPROVED: _____ - MAYOR _____ 2012

6 ATTEST: _____ - CLERK AND RECORDER,
7 EX-OFFICIO CLERK OF THE
8 CITY AND COUNTY OF DENVER
9

10 NOTICE PUBLISHED IN THE DAILY JOURNAL _____ 2012; _____ 2012

11 PREPARED BY: Jo Ann Weinstein - ASSISTANT CITY ATTORNEY – November 8, 2012

12
13 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of the
14 City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
15 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
16 §3.2.6 of the Charter.

17
18 Douglas J. Friednash, City Attorney

19 BY: _____, Assistant City Attorney DATE: _____, 2012