

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2023

COUNCIL BILL NO. CB23-1399
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 Tennyson Streetscape (Portions of West 38th Avenue to West 44th 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 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 Tennyson Streetscape (Portions of West 38th Avenue to West 44th Avenue) Local Maintenance District (“Tennyson Streetscape (Portions of West 38th Avenue to West 44th Avenue)”), 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 Tennyson Streetscape (Portions of West 38th Avenue to West 44th Avenue), was created by Ordinance No. 345, Series of 2009;

(b) The annual cost of the continuing care, operation, repair, maintenance and replacement of the Tennyson Streetscape (Portions of West 38th Avenue to West 44th Avenue) is \$117,480.00, 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 Tennyson Streetscape (Portions of West 38th Avenue to West 44th Avenue) 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 Tennyson Streetscape (Portions of West 38th Avenue to West 44th Avenue).

1 **Section 2.** The annual cost of the continuing care, operation, repair, maintenance and
 2 replacement of the Tennyson Streetscape (Portions of West 38th Avenue to West 44th Avenue) to
 3 be assessed against the real properties, exclusive of improvements thereon, benefited are hereby
 4 approved.

5 **Section 3.** The annual costs of the continuing care, operation, repair, maintenance and
 6 replacement of the Tennyson Streetscape (Portions of West 38th Avenue to West 44th Avenue) in
 7 the amount of \$117,480.00 are hereby assessed against the real properties, exclusive of
 8 improvements thereon, within said local maintenance district as follows:

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

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| 12 | | |
| 13 | EDBROOKE'S RESUBDIVISION OF BLOCK 32 BERKELEY | |
| 14 | BLOCK 32 | |
| 15 | Lots 25-28, inclusive | \$3,192.87 |
| 16 | | |
| 17 | FIRST ADDITION TO BERKELEY | |
| 18 | BLOCK 8 | |
| 19 | Lots 20-24, inclusive, except rear 8' | \$3,990.26 |
| 20 | | |
| 21 | MOUNTAIN VIEW | |
| 22 | BLOCK 1 | |
| 23 | East 90' of Lot 12 & Lot 13, inclusive | \$1,696.54 |
| 24 | Lots 14-15, inclusive | \$1,696.54 |
| 25 | Lots 16-19, inclusive | \$3,393.10 |
| 26 | Lot 20 and northerly 15' of Lot 21, inclusive | \$1,357.26 |
| 27 | Lots 22-23 & southerly 10' of Lot 21, inclusive | \$2,205.49 |
| 28 | | |
| 29 | BLOCK 3 | |
| 30 | Lots 1-6, inclusive, except rear 5' | \$5,086.24 |
| 31 | Lots 7-8, inclusive, except rear 5' | \$1,693.85 |
| 32 | | |
| 33 | BLOCK 4 | |
| 34 | Lots 1-8, inclusive, except rear 5' | \$6,820.10 |
| 35 | Lots 9-10, inclusive, except rear 5' | \$1,696.54 |
| 36 | Lot 11 & northerly 20' of Lot 12, inclusive, except rear 5' | \$1,526.81 |
| 37 | Lot 13 & southerly 5' of Lot 12, inclusive, except rear 5' | \$1,017.40 |
| 38 | Lot 14 & northerly 1/2 of Lot 15, inclusive, except rear 5' | \$1,272.42 |
| 39 | Lot 16 & southerly 1/2 of Lot 15, inclusive, except rear 5' | \$1,272.42 |
| 40 | Lots 17-18, inclusive, except rear 5' | \$1,696.54 |
| 41 | Lots 19-20, inclusive, except rear 5' | \$1,696.54 |
| 42 | Lots 21-24, inclusive, except rear 5' | \$3,389.69 |
| 43 | | |
| 44 | RESUBDIVISION OF BLOCK 2 AND A PART OF BLOCK 1 | |
| 45 | Lots 1-4, inclusive | \$4,522.98 |
| 46 | Lot 5 | \$1,129.90 |

| | | |
|----|--|------------|
| 1 | Lot 6 | \$1,129.90 |
| 2 | Lot 7 | \$1,129.90 |
| 3 | Lot 8 & strip 8.33' north/south & 126.3' east/west which lies south of Lot 8 & | |
| 4 | reserved alley in rear Lot 8, inclusive | \$1,129.90 |
| 5 | | |
| 6 | THOMPSON'S SUBDIVISION OF BLOCKS 2, 3, 7, 10 AND 20 ARGYLE PARK | |
| 7 | BLOCK 2 | |
| 8 | Lot 1 & northerly 20' of Lot 2, inclusive | \$1,526.81 |
| 9 | Southerly 5' of Lot 2 & Lots 3-4, inclusive | \$1,872.98 |
| 10 | Lot 5 & northerly 1/2 of Lot 6, inclusive | \$1,272.42 |
| 11 | Lot 7 & southerly 1/2 of Lot 6, inclusive | \$1,272.42 |
| 12 | Lots 8-9, inclusive, except southerly 21.72' of Lot 9 | \$960.24 |
| 13 | Southerly 21.72' of Lot 9 | \$736.30 |
| 14 | Lot 10 | \$848.28 |
| 15 | Lots 11-12, inclusive | \$1,696.54 |
| 16 | Lot 13 | \$848.28 |
| 17 | Lot 14 | \$848.28 |
| 18 | Lots 15-18, inclusive | \$3,460.93 |
| 19 | | |
| 20 | BLOCK 3 | |
| 21 | Lot 1 and northerly 1/3 of Lot 2, inclusive | \$1,129.90 |
| 22 | Southerly 2/3 of Lot 2 & northerly 21.33' of Lot 3, inclusive | \$1,289.39 |
| 23 | The southerly 3.67' of Lot 3 & all of Lot 4, inclusive | \$973.81 |
| 24 | Lots 5-6, inclusive | \$1,696.54 |
| 25 | Lot 7 | \$848.28 |
| 26 | Lot 8 | \$848.28 |
| 27 | Lots 9-10, inclusive | \$1,696.54 |
| 28 | Lots 11-12, inclusive | \$1,696.54 |
| 29 | Lots 13-14, inclusive | \$1,696.54 |
| 30 | Lots 15-16, inclusive | \$1,696.54 |
| 31 | Lots 17-18, inclusive | \$1,730.46 |
| 32 | | |
| 33 | T.J. O'DONNELL'S RESUBDIVISION OF BLOCK 5 ARGYLE PARK | |
| 34 | BLOCK 5 | |
| 35 | Lots 1-4, inclusive | \$3,684.91 |
| 36 | Lots 5-7, inclusive | \$2,544.82 |
| 37 | Lots 8-9, inclusive | \$1,696.54 |
| 38 | Lots 10-12, inclusive | \$2,544.82 |
| 39 | Lots 13-14, inclusive | \$1,696.54 |
| 40 | Lot 15 & northerly 0.5' of Lot 16, inclusive | \$865.25 |
| 41 | Lots 16-20, except northerly 0.5' of Lot 16, inclusive | \$4,282.06 |
| 42 | | |
| 43 | WEBER AND OWENS SUBDIVISION OF BLOCKS 1, 4, 6, 9, 12, 14 AND 19 ARGYLE PARK | |
| 44 | BLOCK 4 | |
| 45 | Lots 1-4, inclusive, except part to City | \$2,544.82 |
| 46 | Lots 5-6, inclusive | \$1,696.54 |
| 47 | Lots 7-8, inclusive | \$1,696.54 |
| 48 | Lot 9 | \$848.28 |
| 49 | Lot 10 | \$848.28 |
| 50 | Lot 11 & northerly 3' of Lot 12, inclusive | \$950.04 |


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|---|---|------------|
| 1 | Lot 13 & southerly 22' of Lot 12, inclusive | \$1,595.86 |
| 2 | Lot 14 | \$848.28 |
| 3 | Lot 15-16, inclusive | \$1,696.54 |
| 4 | Lot 17-18, inclusive | \$1,323.32 |
| 5 | Lots 19-20, inclusive | \$1,727.08 |

6
7 **Section 4.** The assessments made pursuant hereto shall be a lien in the several amounts
8 assessed against each lot or tract of land set forth in Section 3 herein, and such lien shall have the
9 priority of the lien for local public improvement districts.

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

17 **Section 6.** Any unspent revenue and revenue generated through investment shall be
18 retained and credited to the Tennyson Streetscape (Portions of West 38th Avenue to West 44th
19 Avenue) Local Maintenance District for future long term or program maintenance of the District.

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1 COMMITTEE APPROVAL DATE: October 10, 2023 by Consent
2 MAYOR-COUNCIL DATE: October 17, 2023
3 PASSED BY THE COUNCIL: October 30, 2023
4  _____ - PRESIDENT
5 APPROVED: *Michael C. Johnston* - MAYOR Oct 31, 2023
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: October 19, 2023
11 Pursuant to section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of the
12 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 Kerry Tipper, Denver City Attorney
17
18 BY: *Anakul Bagga*, Assistant City Attorney DATE: Oct 18, 2023