

1 **BY AUTHORITY**

2 ORDINANCE NO. \_\_\_\_\_  
3 SERIES OF 2019

COUNCIL BILL NO. CB19-1127  
COMMITTEE OF REFERENCE:  
4 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 Phase II Broadway 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 Phase II Broadway Pedestrian Mall Local  
15 Maintenance District (“Phase II Broadway 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 Phase II Broadway Pedestrian Mall, was created by Ordinance  
19 No. 819, Series of 1993;

20 (b) The annual cost of the continuing care, operation, repair, maintenance and  
21 replacement of the Phase II Broadway Pedestrian Mall is \$327,685.00, which amount the Manager  
22 of 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 Phase II Broadway 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 Phase II Broadway  
30 Pedestrian Mall.

31 **Section 2.** The annual costs of the continuing care, operation, repair, maintenance and  
32 replacement of the Phase II Broadway 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 Phase II Broadway Pedestrian Mall in the amount of \$327,685.00 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 ALKIRE BROTHER'S ADDITION TO BROADWAY TERRACE  
8 BLOCK 1  
9 Lots  
10 11-13 and the North 1/2 of Adj. Vacated West Irvington Place, inclusive \$4,222.42  
11 14-17, inclusive \$3,670.66  
12 18-20, inclusive \$2,752.99

13  
14 MONTELIUS & WALKER ADDITION  
15 BLOCK 1  
16 Lots  
17 1-3, inclusive \$9,918.71

18  
19 BROADWAY TERRACE  
20 BLOCK 13  
21 Lots  
22 15-16, South 16.24' 17, inclusive \$3,857.27  
23 North 33.76' 17, 18, South 1/2 19, inclusive \$3,995.41  
24 North 1/2 19, 20, inclusive \$2,755.19

25  
26 BUSBY AND WILLIAMS RESUBDIVISION OF BLOCK SIX AND PART OF BLOCK  
27 SEVEN IN GALLUP'S SOUTH BROADWAY SUBDIVISION  
28 BLOCK 6  
29 Lots  
30 2-6, Exc rear 6', inclusive \$6,272.30

31  
32 BYERS SUBDIVISION  
33 BLOCK 38  
34 Lots 1-5, inclusive, and the south half of adjacent vacated west Nevada Pl.,  
35 and the east half of the vacated alley adjacent to Lot 5.  
36 Schedule #0515204042000 \$5,987.95  
37 Lots 44-48, inclusive, and the east half of the vacated alley adjacent to Lot 44.  
38 Schedule #0515204047000 \$4,702.21

39  
40 BLOCK 40  
41 Lots  
42 1-5, inclusive \$4,702.21  
43 Byers Sub B40 43-48 Exc  
44 Beg SW Cor 43 Th N 128.03' W  
45 5.39' S 128.03Ft W 5.39' to  
46 POB, inclusive \$4,702.21

1	BLOCK 44	
2	All of Block 44, and the west half of adjacent vacated South Bannock St.,	
3	and the north half of adjacent vacated west Nevada Pl.; Excepting there	
4	from the north 10 feet of said Block 44	
5	Schedule #0515202033000	\$23,327.34
6		
7	BLOCK 45	
8	Lots	
9	25-27, inclusive	\$2,755.19
10	28, West 1/2 29, inclusive	\$1,377.61
11	East 1/2 29, 30, inclusive	\$1,377.61
12	31-34, inclusive	\$3,673.59
13	35-39, West 1/2 40, inclusive	\$5,051.19
14	East 1/2 40, 41, inclusive	\$1,377.61
15	42, West 1/2 43, inclusive	\$1,377.61
16	44-48 & East 1/2 43, inclusive	\$5,051.19
17		
18	BYERS RESUBDIVISION OF BLOCKS 37 AND 39	
19	BYERS SUBDIVISION	
20	BLOCK 37	
21	Lots	
22	1-24, 44-49, the vacated alley adj. to Lot 6, the East 1/2 of Adj. Vacated South Bannock	
23	Street and the North 1/2 of Adj. Vacated West Nevada Place, inclusive	\$33,559.77
24		
25	BLOCKS 39 - 42	
26	That portion of land as described in Schedule Number 0515205015000	\$4,885.88
27	That portion of land as described in Schedule Number 0515205017000	\$4,703.30
28	Block 39-42 & T4 R68 S15 NW/4 & Vac Ss. & Alys. Adj. Dif Und. Doc 4/9/96A,	
29	inclusive	\$22,207.67
30		
31	EXPOSITION ADDITION	
32	BLOCK 1	
33	Lots	
34	1-7, inclusive	\$6,428.78
35	8-10, inclusive	\$2,755.19
36	11-12, inclusive	\$1,836.81
37	13-14, inclusive	\$1,836.81
38	15-16, inclusive	\$1,836.81
39	17	\$918.39
40	18-21, North 6.25' 22, inclusive	\$3,903.20
41	South 1/2 23, 24, inclusive	\$2,525.59
42		
43	GALLUP'S RESUBDIVISION OF BLOCK 4 AND PART OF BLOCK 5 OF GALLUP'S	
44	BROADWAY SUBDIVISION	
45	BLOCK 4	
46	Lots	
47	1-4, inclusive	\$3,342.97
48	5-6, inclusive	\$1,836.81
49	7-9, North 20.8' 10, inclusive	\$3,519.31
50	South 4.2' 10, 11-12, inclusive	\$1,072.70

1	BLOCK 5	
2	Lots	
3	North 50' West 1/2 Block 5	\$1,836.81
4	South 50' North 100' West 1/2 Block 5	\$1,836.81
5		
6	GREENWAY'S RESUBDIVISION OF BLOCK 36 BYER'S SUBDIVISION	
7	BLOCK 36	
8	Lots	
9	9-10, inclusive	\$4,922.62
10	11, East 8.33' 12, inclusive	\$1,224.41
11	West 16.67' 12, East 21.67' 13, inclusive	\$1,408.46
12	West 3.33' 13, 14, East 5' 15, inclusive	\$1,224.41
13	West 20' 15, East 11.67' 16, inclusive	\$1,163.43
14	West 13.33' 16, East 18.33' 17, inclusive	\$1,163.06
15	West 6.67' 17, 18, inclusive	\$1,163.43
16	19, East 1/2 20, inclusive	\$1,322.50
17	West 1/2 20, 21, 22, inclusive	\$2,351.12
18	23-28, inclusive	\$5,510.40
19		
20	KETTLE'S ADDITION TO DENVER	
21	BLOCK 3	
22	Lots	
23	1-24 & Vacated Alley, inclusive	\$11,020.79
24		
25	ONE BROADWAY PLAZA SUBDIVISION	
26	BLOCK 1	
27	That part of One Broadway Plaza Subdivision, defined as follows: Beginning at the	
28	southwest corner of Broadway and Vacated West Irvington Place; thence southerly	
29	along the west line of Broadway a distance of 259.93 feet; thence westerly on an	
30	angle to the right of 89°56' 37" a distance of 165.50 feet; thence northerly on an angle	
31	to the right of 90°03'23" a distance of 112.70 feet; thence easterly on an angle to the	
32	right of 90°00'00" a distance of 17.50 feet; thence northerly on an angle to the right	
33	of 90°00'00" a distance of 33.00 feet; thence on an angle to the right of 90°00'00" a	
34	distance of 18.75 feet; thence northerly on an angle to the right of 90°00'00" a	
35	distance of 114.21 feet to the south line of Vacated West Irvington Place; thence	
36	easterly along said south line a distance of 166.75 feet to the Point of Beginning, and	
37	the south 1/2 of adjacent Vacated West Irvington Place.	
38		\$11,018.22
39		
40	PATTERSON'S SUBDIVISION	
41	BLOCK 1	
42	Lots	
43	1-5, 47, adj. vacated alley, inclusive	\$4,591.99
44	North 75' 6-8, and the North 75' of the East 15' 9, inclusive	\$2,755.19
45	9 Exc. the North 75' of the East 15' and 10-12, inclusive	\$1,836.81
46		
47	PIERCE AND HINMAN'S ADDITION TO BROADWAY TERRACE	
48	BLOCK 1	
49	Lots	
50	1-4, inclusive	\$3,669.20

1	5	\$917.30
2	6	\$917.30
3	7	\$917.30
4	8, North 16' 9, inclusive	\$1,505.07
5	South 8.97' 9, 10, North 16' 11, inclusive	\$1,834.60
6	South 8.97' 11, 12, inclusive	\$1,246.83
7	13	\$917.30
8	14	\$917.30
9	15	\$917.30
10	16-17, inclusive	\$1,834.60
11	18-19, inclusive	\$1,834.60
12	20-22, inclusive	\$2,751.89
13	23-24, inclusive	\$1,687.64
14		
15	POMEROY'S SOUTH BROADWAY SUBDIVISION	
16	BLOCK 1	
17	1-6, and the North 22.5' Lot 1, Block 2, inclusive	\$6,167.96
18		
19	BLOCK 2	
20	Lots	
21	1 Exc. the North 22.5', 2-3, inclusive	\$1,936.34
22	4, North 10.07' 5, inclusive	\$1,290.91
23	South 15' 5, 6 and Lots 1-4, Block 3, inclusive	\$5,155.90
24		
25	BLOCK 3	
26	Lots	
27	5-6 and Lot 1, Block 4, inclusive	\$2,762.92
28		
29	BLOCK 4	
30	2	\$920.98
31	3	\$920.98
32	4-6, inclusive	\$2,578.51
33		
34	SNYDER'S SUBDIVISION TO DENVER	
35	BLOCK 1	
36	West 125' 1-5, inclusive	\$4,498.32
37	West 125' 6-7, inclusive	\$1,799.33
38	West 125' 8-9, inclusive	\$1,799.33
39	West 125' 10-15, inclusive	\$5,397.98
40	West 125' 16-17, inclusive	\$1,799.33
41	West 125' 18-19, inclusive	\$1,799.33
42	West 125' 20-21 and a Strip 0.85' Wide on the West and 0.95' Wide on the East	
43	on the North Side of the West 125' Lot 22, inclusive	\$1,830.54
44	West 125' 22 Exc. a Strip 0.85' Wide on the West and 0.95' Wide on the East	
45	on the North Side of the West 125' Lot 22, West 125' 23-24, inclusive	\$2,667.76
46	UNPLATTED	
47	That part of the SE 1/4, NW 1/4, Section 15, T.4S., R.68W. of the 6th P.M. bounded	
48	by the west line of South Broadway, a line 158 feet west of and parallel with said west	
49	line, the south line of Vacated West Virginia Avenue and a line 589.77 feet south of	
50	and parallel with said south line.	

\$4,518.53

The south 42 feet of the NE 1/4, of the SE 1/4, of the NW 1/4 of SEC 15, TWP 4S, RNG 68W of the 6<sup>th</sup> PM, City and County of Denver, State of Colorado. Schedule #0515200037000

\$ 1,542.91

**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.

**Section 5.** Without demand, said assessments 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 last day of February of the year next following the year 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 may 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 revenue generated through investment shall be retained and credited to the Phase II Broadway Pedestrian Mall Local Maintenance District for future long term or program maintenance of the District.

COMMITTEE APPROVAL DATE: October 29, 2019 by Consent

MAYOR-COUNCIL DATE: November 5, 2019

PASSED BY THE COUNCIL: \_\_\_\_\_

\_\_\_\_\_ - PRESIDENT

APPROVED: \_\_\_\_\_ - MAYOR \_\_\_\_\_

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 Attorney DATE: November 7, 2019

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

Kristin M. Bronson, Denver City Attorney

BY: \_\_\_\_\_, Assistant City Attorney DATE: \_\_\_\_\_