

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2013

COUNCIL BILL NO. CB13-0717
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 (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 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 Tennyson Streetscape (West 38th Avenue to West 44th 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 Tennyson Streetscape (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 (West 38th Avenue to West 44th Avenue) Local Maintenance District is \$49,000.00, 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 Tennyson Streetscape (West 38th Avenue to West 44th Avenue) Local Maintenance District currently has sufficient reserves to pay for \$9,000.00 of the 2014 annual costs of the continuing care, operation, repair, maintenance and replacement of the Tennyson Streetscape (West 38th Avenue to West 44th Avenue) Local Maintenance District, the amount to be assessed against the properties, exclusive of improvements thereon.

(e) The portion of the annual costs for the continuing care, operation, repair, maintenance and replacement of the Tennyson Streetscape (West 38th Avenue to West 44th

1 Avenue) Local Maintenance District to be assessed against the properties, exclusive of
2 improvements thereon, benefited are \$40,000.00;

3 (f) The real property within the Tennyson Streetscape (West 38th Avenue to West 44th
4 Avenue) Local Maintenance District will be benefited in an amount equal to or in excess of the
5 amount to be assessed against said property because of the continuing care, operation, repair,
6 maintenance and replacement of said Streetscape.

7 **Section 2.** The annual cost of the continuing care, operation, repair, maintenance and
8 replacement of the Tennyson Streetscape (West 38th Avenue to West 44th Avenue) Local
9 Maintenance District to be assessed against the real properties, exclusive of improvements
10 thereon, benefited are hereby approved.

11 **Section 3.** The annual costs of the continuing care, operation, repair, maintenance and
12 replacement of the Tennyson Streetscape (West 38th Avenue to West 44th Avenue) Local
13 Maintenance District in the amount of \$40,000.00 are hereby assessed against the real properties,
14 exclusive of improvements thereon, within said local maintenance district as follows:

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

18	
19 EDBROOKE'S RESUBDIVISION OF BLOCK 32 BERKELEY	
20 BLOCK 32	
21 Lots 25-28, inclusive	\$1,087.13
22	
23 FIRST ADDITION TO BERKELEY	
24 BLOCK 8	
25 Lots 20-24, inclusive, except rear 8'	\$1,358.63
26	
27 MOUNTAIN VIEW	
28 BLOCK 1	
29 East 90' of Lot 12 & Lot 13, inclusive	\$577.65
30 Lots 14-15, inclusive	\$577.65
31 Lots 16-19, inclusive	\$1,155.30
32 Lot 20 and northerly 15' of Lot 21, inclusive	\$462.12
33 Lots 22-23 & southerly 10' of Lot 21, inclusive	\$750.94
34	
35 BLOCK 3	
36 Lots 1-6, inclusive, except rear 5'	\$1,731.79
37 Lots 7-8, inclusive, except rear 5'	\$576.72
38	
39 BLOCK 4	
40 Lots 1-8, inclusive, except rear 5'	\$2,322.14
41 Lots 9-10, inclusive, except rear 5'	\$577.65
42 Lot 11 & northerly 20' of Lot 12, inclusive, except rear 5'	\$519.88
43 Lot 13 & southerly 5' of Lot 12, inclusive, except rear 5'	\$346.59

1	Lot 14 & northerly 1/2 of Lot 15, inclusive, except rear 5'	\$433.24
2	Lot 16 & southerly 1/2 of Lot 15, inclusive, except rear 5'	\$433.24
3	Lots 17-18, inclusive, except rear 5'	\$577.65
4	Lots 19-20, inclusive, except rear 5'	\$577.65
5	Lots 21-24, inclusive, except rear 5'	\$1,154.14
6		
7	RESUBDIVISION OF BLOCK 2 AND A PART OF BLOCK 1	
8	Lots 1-4, inclusive	\$1,540.01
9	Lot 5	\$384.71
10	Lot 6	\$384.71
11	Lot 7	\$384.71
12	Lot 8 & strip 8.33' north/south & 126.3' east/west which lies south of Lot 8 &	
13	reserved alley in rear Lot 8, inclusive	\$384.71
14		
15	THOMPSON'S SUBDIVISION OF BLOCKS 2, 3, 7, 10 AND 20 ARGYLE PARK	
16	BLOCK 2	
17	Lot 1 & northerly 20' of Lot 2, inclusive	\$519.88
18	Southerly 5' of Lot 2 & Lots 3-4, inclusive	\$637.72
19	Lot 5 & northerly 1/2 of Lot 6, inclusive	\$433.24
20	Lot 7 & southerly 1/2 of Lot 6, inclusive	\$433.24
21	Lots 8-9, inclusive, except southerly 21.72' of Lot 9	\$326.95
22	Southerly 21.72' of Lot 9	\$250.70
23	Lot 10	\$288.82
24	Lots 11-12, inclusive	\$577.65
25	Lot 13	\$288.82
26	Lot 14	\$288.82
27	Lots 15-18, inclusive	\$1,178.40
28		
29	BLOCK 3	
30	Lot 1 and northerly 1/3 of Lot 2, inclusive	\$384.71
31	Southerly 2/3 of Lot 2 & northerly 21.33' of Lot 3, inclusive	\$439.01
32	The southerly 3.67' of Lot 3 & all of Lot 4, inclusive	\$331.57
33	Lots 5-6, inclusive	\$577.65
34	Lot 7	\$288.82
35	Lot 8	\$288.82
36	Lots 9-10, inclusive	\$577.65
37	Lots 11-12, inclusive	\$577.65
38	Lots 13-14, inclusive	\$577.65
39	Lots 15-16, inclusive	\$577.65
40	Lots 17-18, inclusive	\$589.20
41		
42	T.J. O'DONNELL'S RESUBDIVISION OF BLOCK 5 ARGYLE PARK	
43	BLOCK 5	
44	Lots 1-4, inclusive	\$1,254.65
45	Lots 5-7, inclusive	\$866.47
46	Lots 8-9, inclusive	\$577.65
47	Lots 10-12, inclusive	\$866.47
48	Lots 13-14, inclusive	\$577.65
49	Lot 15 & northerly 0.5' of Lot 16, inclusive	\$294.60
50	Lots 16-20, except northerly 0.5' of Lot 16, inclusive	\$1,457.98

1	WEBER AND OWENS SUBDIVISION OF BLOCKS 1, 4, 6, 9, 12, 14 AND 19 ARGYLE PARK	
2	BLOCK 4	
3	Lots 1-4, inclusive, except part to City	\$866.47
4	Lots 5-6, inclusive	\$577.65
5	Lots 7-8, inclusive	\$577.65
6	Lot 9	\$288.82
7	Lot 10	\$288.82
8	Lot 11 & northerly 3' of Lot 12, inclusive	\$323.48
9	Lot 13 & southerly 22' of Lot 12, inclusive	\$542.99
10	Lot 14	\$288.82
11	Lot 15-16, inclusive	\$577.65
12	Lot 17-18, inclusive	\$450.57
13	Lots 19-20, inclusive	\$588.05

14
15 **Section 4.** The assessments made pursuant hereto shall be a lien in the several amounts
16 assessed against each lot or tract of land set forth in Section 3 herein, and such lien shall have the
17 priority of the lien for local public improvement districts.

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

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

27

1 COMMITTEE APPROVAL DATE: (by Consent) October 17, 2013
2 MAYOR-COUNCIL DATE: October 22, 2013
3 PASSED BY THE COUNCIL: _____, 2013
4 _____ - PRESIDENT
5 APPROVED: _____ - MAYOR _____, 2013
6 ATTEST: _____ - CLERK AND RECORDER,
7 EX-OFFICIO CLERK OF THE
8 CITY AND COUNTY OF DENVER
9 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____, 2013; _____, 2013
10 PREPARED BY: Jo Ann Weinstein - ASSISTANT CITY ATTORNEY DATE: October 24, 2013
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 Douglas J. Friednash, City Attorney
16 BY: _____, Assistant City Attorney DATE: _____, 2013