

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2014

COUNCIL BILL NO. CB14-0722
COMMITTEE OF REFERENCE:
Infrastructure & Culture

A BILL

For an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Phase II Broadway Pedestrian Mall 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 Phase II Broadway Pedestrian Mall, 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 Phase II Broadway Pedestrian Mall, was created by Ordinance No. 819, Series of 1993;

(b) The annual cost of the continuing care, operation, repair, maintenance and replacement of the Phase II Broadway Pedestrian Mall is \$256,700.00 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 Phase II Broadway Pedestrian Mall 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 cost of the continuing care, operation, repair, maintenance and replacement of the Phase II Broadway Pedestrian Mall to be assessed against the real properties, exclusive of improvements thereon, benefited are hereby approved.

Section 3. The annual costs of the continuing care, operation, repair, maintenance and replacement of the Phase II Broadway Pedestrian Mall in the amount of \$256,700.00 are hereby assessed against the real properties, exclusive of improvements thereon, within said local maintenance district as follows:

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

ALKIRE BROTHER'S ADDITION TO BROADWAY TERRACE
BLOCK 1

Lots	
11-13 and the North 1/2 of Adj. Vacated West Irvington Place, inclusive	\$3,270.16
14-17, inclusive	\$2,842.82
18-20, inclusive	\$2,132.12

MONTELIUS & WALKER ADDITION
BLOCK 1

Lots	
1-3, inclusive	\$7,681.77

BROADWAY TERRACE
BLOCK 13

Lots	
15-16, South 16.24' 17, inclusive	\$2,987.35
North 33.76' 17, 18, South 1/2 19, inclusive	\$3,094.33
North 1/2 19, 20, inclusive	\$2,133.82

BUSBY AND WILLIAMS RESUBDIVISION OF BLOCK SIX AND PART OF
BLOCK SEVEN IN GALLUP'S SOUTH BROADWAY SUBDIVISION
BLOCK 6

Lots	
2-6, Exc rear 6', inclusive	\$4,857.72

BYERS SUBDIVISION
BLOCK 38

Lots	
1-5 and the South 1/2 of Adj. Vacated West Nevada Place, inclusive	\$4,637.51
44-48, inclusive	\$3,641.73

BLOCK 40

Lots	
1-5, inclusive	\$3,641.73
Byers Sub B40 43-48 Exc	
Beg SW Cor 43 Th N 128.03' W	
5.39' S 128.03Ft W 5.39' to	
POB, inclusive	\$3,641.73

BLOCK 44

Lots	
1-24, and the West 1/2 of Adj. Vacated South Bannock Street, inclusive	\$18,066.38

BLOCK 45

Lots	
25-27, inclusive	\$2,133.82
28, West 1/2 29, inclusive	\$1,066.91

1	East 1/2 29, 30, inclusive	\$1,066.91
2	31-34, inclusive	\$2,845.10
3	35-39, West 1/2 40, inclusive	\$3,912.01
4	East 1/2 40, 41, inclusive	\$1,066.91
5	42, West 1/2 43, inclusive	\$1,066.91
6	44-48 & East 1/2 43, inclusive	\$3,912.01
7		
8	BYERS RESUBDIVISION OF BLOCKS 37 AND 39	
9	BYERS SUBDIVISION	
10	BLOCK 37	
11	Lots	
12	1-24, 44-49, the vacated alley adj. to Lot 6, the East 1/2 of Adj. Vacated South Bannock	
13	Street and the North 1/2 of Adj. Vacated West Nevada Place, inclusive	\$26,061.12
14		
15	BLOCKS 39 - 42	
16	Lots	
17	1-6, 49 and Adjacent Vacated Alley, inclusive	\$3,727.08
18	44 and Vacated Alaska Place, inclusive	\$3,556.37
19	The North 2.0' of Vacated West Alaska Place	\$ 56.90
20	Block 39-42 & T4 R68 S15 NW/4 & Vac Ss. & Alys. Adj. Dif Und. Doc 4/9/96A, inclusive	
21		\$18,191.28
22	EXPOSITION ADDITION	
23	BLOCK 1	
24	Lots	
25	1-7, inclusive	\$4,978.92
26	8-10, inclusive	\$2,133.82
27	11-12, inclusive	\$1,422.55
28	13-14, inclusive	\$1,422.55
29	15-16, inclusive	\$1,422.55
30	17	\$ 711.27
31	18-21, North 6.25' 22, inclusive	\$3,022.91
32	South 1/2 23, 24, inclusive	\$1,956.01
33		
34	GALLUP'S RESUBDIVISION OF BLOCK 4 AND PART OF BLOCK 5 OF GALLUP'S	
35	BROADWAY SUBDIVISION	
36	BLOCK 4	
37	Lots	
38	1-4, inclusive	\$2,589.04
39	5-6, inclusive	\$1,422.55
40	7-9, North 20.8' 10, inclusive	\$2,725.61
41	South 4.2' 10, 11-12, inclusive	\$ 830.77
42		
43	Block 5	
44	Lots	
45	North 50' West 1/2 Block 5	\$1,422.55
46	South 50' North 100' West 1/2 Block 5	\$1,422.55
47		
48	GREENWAY'S RESUBDIVISION OF BLOCK 36 BYER'S SUBDIVISION	
49	BLOCK 36	
50	Lots	

1	9-10, inclusive	\$3,812.43
2	11, East 8.33' 12, inclusive	\$ 948.27
3	West 16.67' 12, East 21.67' 13, inclusive	\$1,090.81
4	West 3.33' 13, 14, East 5' 15, inclusive	\$ 948.27
5	West 20' 15, East 11.67' 16, inclusive	\$ 901.04
6	West 13.33' 16, East 18.33' 17, inclusive	\$ 900.76
7	West 6.67' 17, 18, inclusive	\$ 901.04
8	19, East 1/2 20, inclusive	\$1,066.91
9	West 1/2 20, 21, 22, inclusive	\$1,778.19
10	23-28, inclusive	\$4,267.65
11		
12	KETTLE'S ADDITION TO DENVER	
13	BLOCK 3	
14	Lots	
15	1-24 & Vacated Alley, inclusive	\$8,535.30
16		
17	ONE BROADWAY PLAZA SUBDIVISION	
18	BLOCK 1	
19	That part of One Broadway Plaza Subdivision, defined as follows: Beginning at	
20	the southwest corner of Broadway and Vacated West Irvington Place; thence	
21	southerly along the west line of Broadway a distance of 259.93 feet; thence	
22	westerly on an angle to the right of 89°56' 37" a distance of 165.50 feet; thence	
23	northerly on an angle to the right of 90°03'23" a distance of 112.70 feet; thence	
24	easterly on an angle to the right of 90°00'00" a distance of 17.50 feet; thence	
25	northerly on an angle to the right of 90°00'00" a distance of 33.00 feet; thence on	
26	an angle to the right of 90°00'00" a distance of 18.75 feet; thence northerly on an	
27	angle to the right of 90°00'00" a distance of 114.21 feet to the south line of	
28	Vacated West Irvington Place; thence easterly along said south line a distance of	
29	166.75 feet to the Point of Beginning, and the south 1/2 of adjacent Vacated West	
30	Irvington Place.	
31		\$8,533.31
32	PATTERSON'S SUBDIVISION	
33	BLOCK 1	
34	Lots	
35	1-5, 47, adj. vacated alley, inclusive	\$3,556.37
36	North 75' 6-8, and the North 75' of the East 15' 9, inclusive	\$2,133.82
37	9 Exc. the North 75' of the East 15' and 10-12, inclusive	\$1,422.55
38		
39	PIERCE AND HINMAN'S ADDITION TO BROADWAY TERRACE	
40	BLOCK 1	
41	Lots	
42	1-4, inclusive	\$2,841.69
43	5	\$710.42
44	6	\$710.42
45	7	\$710.42
46	8, North 16' 9, inclusive	\$1,165.64
47	South 8.97' 9, 10, North 16' 11, inclusive	\$1,420.84
48	South 8.97' 11, 12, inclusive	\$965.63
49	13	\$710.42
50	14	\$710.42

1	15	\$710.42
2	16-17, inclusive	\$1,420.84
3	18-19, inclusive	\$1,420.84
4	20-22, inclusive	\$2,131.26
5	23-24, inclusive	\$1,307.04
6		
7	POMEROY'S SOUTH BROADWAY SUBDIVISION	
8	BLOCK 1	
9	1-6, and the North 22.5' Lot 1, Block 2, inclusive	\$4,776.92
10		
11	BLOCK 2	
12	Lots	
13	1 Exc. the North 22.5', 2-3, inclusive	\$1,499.65
14	4, North 10.07' 5, inclusive	\$ 999.77
15	South 15' 5, 6 and Lots 1-4, Block 3, inclusive	\$3,993.09
16		
17	BLOCK 3	
18	Lots	
19	5-6 and Lot 1, Block 4, inclusive	\$2,139.80
20		
21	BLOCK 4	
22	2	\$ 713.27
23	3	\$ 713.27
24	4-6, inclusive	\$1,996.98
25		
26	SNYDER'S SUBDIVISION TO DENVER	
27	BLOCK 1	
28	West 125' 1-5, inclusive	\$3,483.82
29	West 125' 6-7, inclusive	\$1,393.53
30	West 125' 8-9, inclusive	\$1,393.53
31	West 125' 10-15, inclusive	\$4,180.59
32	West 125' 16-17, inclusive	\$1,393.53
33	West 125' 18-19, inclusive	\$1,393.53
34	West 125' 20-21 and a Strip 0.85' Wide on the West and 0.95' Wide on the East on the	
35	North Side of the West 125' Lot 22, inclusive	\$1,417.71
36	West 125' 22 Exc. a Strip 0.85' Wide on the West and 0.95' Wide on the East on the	
37	North Side of the West 125' Lot 22, West 125' 23-24, inclusive	\$2,066.11
38		
39	UNPLATTED	
40	That part of the SE 1/4, NW 1/4, Section 15, T.4S., R.68W. of the 6th P.M. bounded	
41	by the west line of South Broadway, a line 158 feet west of and parallel with said west	
42	line, the south line of Vacated West Virginia Avenue and a line 589.77 feet south of	
43	and parallel with said south line.	\$3,499.47
44		
45	That part of the SE 1/4, NW 1/4, Section 15, T.4S., R.68W. of the 6th P.M. described	
46	as follows: Beginning at a point on the west line of South Broadway 589.77 feet south	
47	of the south line of Vacated West Virginia Avenue; thence west a distance of 158.0	
48	feet; thence south and parallel with the west line of South Broadway a distance of	
49	40.23 feet; thence east a distance of 158.0 feet to a point	
50		

on the west line of South Broadway; thence north to the Point of Beginning.

\$ 1,144.58

That part of the SE 1/4, NW 1/4, Section 15, T.4S., R.68W. of the 6th P.M. that includes the vacated West Dakota Avenue.

\$ 1,991.57

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 subject the property subject to the assessment to sale as provided by the Charter 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: September 11, 2014 [by consent]

MAYOR-COUNCIL DATE: September 16, 2014

PASSED BY THE COUNCIL: _____, 2014

_____ - PRESIDENT

APPROVED: _____ - MAYOR _____,

20134

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

NOTICE PUBLISHED IN THE DAILY JOURNAL: _____, 2014; _____, 2014

PREPARED BY: Jo Ann Weinstein, Assistant City Attorney DATE: September 25, 2014

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.

D. Scott Martinez, City Attorney

BY: _____, Assistant City Attorney DATE: _____, 2014