

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2011

COUNCIL BILL NO. CB11-0594
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 Downing Street 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 South Downing Street Pedestrian Mall 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 Downing Street Pedestrian Mall, was created by Ordinance No. 784, Series of 1992;

(b) The annual costs of the continuing care, operation, repair, maintenance and replacement of the South Downing Street Pedestrian Mall are \$11,655.00 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 filed with the Manager of Public Works;

(d) The South Downing Street Pedestrian Mall currently has sufficient reserves to pay for \$1,655.00 of the 2012 annual costs of the continuing care, operation, repair, maintenance and replacement of the South Downing Street Pedestrian Mall, 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 South Downing Street Pedestrian Mall to be assessed against the properties, exclusive of improvements thereon, benefited are \$9,830.51;

(f) The portion of the annual costs of the continuing care, operation, repair, maintenance and replacement of the South Downing Street Pedestrian Mall to be borne by the City and County of Denver is \$169.49; and

(g) The real property within the South Downing Street 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 costs of the continuing care, operation, repair, maintenance and replacement of the South Downing Street 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 South Downing Street Pedestrian Mall in the amount of \$9,830.51 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.

EVANSTON 2ND FILING

Block 33

Lots

18-19	\$169.49
-------	----------

North 1.0' Lot 20	\$6.78
-------------------	--------

South 24.0' Lot 20	\$162.71
--------------------	----------

21-23	\$169.49
-------	----------

BLOCK 56

Lots

1-7	\$169.49
-----	----------

8 Except South 14.0'	\$74.58
----------------------	---------

8 South 14.0'	\$94.91
---------------	---------

9-23	\$169.49
------	----------

MOUNTAIN VIEW PLACE 2ND FILING

Block 17

Lots

19-20	\$169.49
-------	----------

21-24	\$169.49
-------	----------

BLOCK 24

Lots

1-4	\$169.49
-----	----------

5-11	\$169.49
------	----------

12-23	\$169.49
-------	----------

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

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

10 **Section 6.** Any unspent revenue and revenue generated through investment shall be
11 retained and credited to the South Downing Street Pedestrian Mall Local Maintenance District for
12 future long term or program maintenance of the District.

13 COMMITTEE APPROVAL DATE: (by Consent) August 18, 2011

14 MAYOR-COUNCIL DATE: August 30, 2011

15 PASSED BY THE COUNCIL: _____, 2011
16 _____ - PRESIDENT

17 APPROVED: _____ - MAYOR _____, 2011

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

21 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____, 2011; _____, 2011

22 PREPARED BY: Jo Ann Weinstein - ASSISTANT CITY ATTORNEY - September 8, 2011

23 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
24 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
25 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
26 §3.2.6 of the Charter.

27 Douglas J. Friednash, City Attorney

28 BY: _____, Assistant City Attorney DATE: _____, 2011