

**BY AUTHORITY**

ORDINANCE NO. \_\_\_\_\_  
SERIES OF 2013

COUNCIL BILL NO. CB13-0796  
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 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:

1	NOTE: Where a series of lots is followed by "inclusive", the amount appearing after the series	
2	shall be the total for all lots in the series. Where a series of lots is not followed by "inclusive", the	
3	amount appearing after such series shall be the assessment for each lot in the series.	
4	ALKIRE BROTHER'S ADDITION TO BROADWAY TERRACE	
5	BLOCK 1	
6	Lots	
7	11-13 and the North 1/2 of Adj. Vacated West Irvington Place, inclusive	\$3,270.16
8	14-17, inclusive	\$2,842.82
9	18-20, inclusive	\$2,132.12
10		
11	MONTELIUS & WALKER ADDITION	
12	BLOCK 1	
13	Lots	
14	1-3, inclusive	\$7,681.77
15		
16	BROADWAY TERRACE	
17	BLOCK 13	
18	Lots	
19	15-16, South 16.24' 17, inclusive	\$2,987.35
20	North 33.76' 17, 18, South 1/2 19, inclusive	\$3,094.33
21	North 1/2 19, 20, inclusive	\$2,133.82
22		
23	BUSBY AND WILLIAMS RESUBDIVISION OF BLOCK SIX AND PART OF	
24	BLOCK SEVEN IN GALLUP'S SOUTH BROADWAY SUBDIVISION	
25	BLOCK 6	
26	Lots	
27	2-6, Exc rear 6', inclusive	\$4,857.72
28		
29	BYERS SUBDIVISION	
30	BLOCK 38	
31	Lots	
32	1-5 and the South 1/2 of Adj. Vacated West Nevada Place, inclusive	\$4,637.51
33	44-48, inclusive	\$3,641.73
34		
35	BLOCK 40	
36	Lots	
37	1-5, inclusive	\$3,641.73
38	Byers Sub B40 43-48 Exc	
39	Beg SW Cor 43 Th N 128.03' W	
40	5.39' S 128.03Ft W 5.39' to	
41	POB, inclusive	\$3,641.73
42		
43	BLOCK 44	
44	Lots	
45	1-24, and the West 1/2 of Adj. Vacated South Bannock Street, inclusive	\$18,066.38
46		
47	BLOCK 45	
48	Lots	
49	25-27, inclusive	\$2,133.82
50	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	
13	Bannock Street and the North 1/2 of Adj. Vacated West Nevada Place, inclusive	
14		\$26,061.12
15		
16	BLOCKS 39 - 42	
17	Lots	
18	1-6, 49 and Adjacent Vacated Alley, inclusive	\$3,727.08
19	44 and Vacated Alaska Place, inclusive	\$3,556.37
20	The North 2.0' of Vacated West Alaska Place	\$ 56.90
21	Block 39-42 & T4 R68 S15 NW/4 & Vac Ss. & Alys. Adj. Dif Und. Doc 4/9/96A, inclusive	
22		\$18,191.28
23		
24	EXPOSITION ADDITION	
25	BLOCK 1	
26	Lots	
27	1-7, inclusive	\$4,978.92
28	8-10, inclusive	\$2,133.82
29	11-12, inclusive	\$1,422.55
30	13-14, inclusive	\$1,422.55
31	15-16, inclusive	\$1,422.55
32	17	\$711.27
33	18-21, North 6.25' 22, inclusive	\$3,022.91
34	South 1/2 23, 24, inclusive	\$1,956.01
35		
36	GALLUP'S RESUBDIVISION OF BLOCK 4 AND PART OF BLOCK 5 OF GALLUP'S	
37	BROADWAY SUBDIVISION	
38	BLOCK 4	
39	Lots	
40	1-4, inclusive	\$2,589.04
41	5-6, inclusive	\$1,422.55
42	7-9, North 20.8' 10, inclusive	\$2,725.61
43	South 4.2' 10, 11-12, inclusive	\$830.77
44		
45	Block 5	
46	Lots	
47	North 50' West 1/2 Block 5	\$1,422.55
48	South 50' North 100' West 1/2 Block 5	\$1,422.55
49		
50	GREENWAY'S RESUBDIVISION OF BLOCK 36 BYER'S SUBDIVISION	

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

1	13	\$710.42
2	14	\$710.42
3	15	\$710.42
4	16-17, inclusive	\$1,420.84
5	18-19, inclusive	\$1,420.84
6	20-22, inclusive	\$2,131.26
7	23-24, inclusive	\$1,307.04
8		
9	POMEROY'S SOUTH BROADWAY SUBDIVISION	
10	BLOCK 1	
11	1-6, and the North 22.5' Lot 1, Block 2, inclusive	\$4,776.92
12		
13	BLOCK 2	
14	Lots	
15	1 Exc. the North 22.5', 2-3, inclusive	\$1,499.65
16	4, North 10.07' 5, inclusive	\$999.77
17	South 15' 5, 6, inclusive	\$1,140.03
18		
19	BLOCK 3	
20	Lots	
21	1-2, inclusive	\$1,426.53
22	3-4, inclusive	\$1,426.53
23	5-6 and Lot 1, Block 4, inclusive	\$2,139.80
24		
25	BLOCK 4	
26	2	\$ 713.27
27	3	\$ 713.27
28	4-6, inclusive	\$1,996.98
29		
30	SNYDER'S SUBDIVISION TO DENVER	
31	BLOCK 1	
32	West 125' 1-5, inclusive	\$3,483.82
33	West 125' 6-7, inclusive	\$1,393.53
34	West 125' 8-9, inclusive	\$1,393.53
35	West 125' 10-15, inclusive	\$4,180.59
36	West 125' 16-17, inclusive	\$1,393.53
37	West 125' 18-19, inclusive	\$1,393.53
38	West 125' 20-21 and a Strip 0.85' Wide on the West and 0.95' Wide on the East on the North	
39	Side of the West 125' Lot 22, inclusive	\$1,417.71
40	West 125' 22 Exc. a Strip 0.85' Wide on the West and 0.95' Wide on the East on the North Side	
41	of the West 125' Lot 22, West 125' 23-24, inclusive	\$2,066.11
42		
43	UNPLATTED	
44	That part of the SE 1/4, NW 1/4, Section 15, T.4S., R.68W. of the 6th P.M.	
45	bounded by the west line of South Broadway, a line 158 feet west of and parallel	
46	with said west line, the south line of Vacated West Virginia Avenue and a line	
47	589.77 feet south of and parallel with said south line.	\$3,499.47
48		
49	That part of the SE 1/4, NW 1/4, Section 15, T.4S., R.68W. of the 6th P.M.	
50	described as follows: Beginning at a point on the west line of South Broadway	

1 589.77 feet south of the south line of Vacated West Virginia Avenue; thence west  
2 a distance of 158.0 feet; thence south and parallel with the west line of South  
3 Broadway a distance of 40.23 feet; thence east a distance of 158.0 feet to a point  
4 on the west line of South Broadway; thence north to the Point of Beginning.  
5 \$1,144.58  
6

7 That part of the SE 1/4, NW 1/4, Section 15, T.4S., R.68W. of the 6th P.M. that  
8 includes the vacated West Dakota Avenue.  
9 \$1,991.57

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

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

20 **Section 6.** Any unspent revenue and revenue generated through investment shall be retained  
21 and credited to the Phase II Broadway Pedestrian Mall Local Maintenance District for future long  
22 term or program maintenance of the District.

23 COMMITTEE APPROVAL: (by Consent) October 31, 2013

24 MAYOR-COUNCIL DATE: November 5, 2013

25 PASSED BY THE COUNCIL \_\_\_\_\_ 2013

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

27 APPROVED: \_\_\_\_\_ - MAYOR \_\_\_\_\_ 2013

28 ATTEST: \_\_\_\_\_ - CLERK AND RECORDER,  
29 EX-OFFICIO CLERK OF THE  
30 CITY AND COUNTY OF DENVER

31 NOTICE PUBLISHED IN THE DAILY JOURNAL \_\_\_\_\_ 2013; \_\_\_\_\_ 2013

32 PREPARED BY: Jo Ann Weinstein - ASSISTANT CITY ATTORNEY - November 7, 2013

33 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of  
34 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed  
35 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to  
36 §3.2.6 of the Charter.

37 Douglas J. Friednash, City Attorney

38 BY: \_\_\_\_\_, \_\_\_\_\_ City Attorney - \_\_\_\_\_ 2013