| 1 | BY AUTHORITY | | | | |
|---------|--|--|--|--|--|
| 2 | ORDINANCE NO COUNCIL BILL NO. CB14-0737 | | | | |
| 3 | SERIES OF 2014 COMMITTEE OF REFERENCE: | | | | |
| 4 | Infrastructure & Culture | | | | |
| 5 6 | A BILL | | | | |
| 7 | For an ordinance assessing the annual costs of the continuing care, operation, | | | | |
| 8 | repair, maintenance and replacement of the Golden Triangle Pedestrian Mall | | | | |
| 9 10 | Local Maintenance District upon the real property, exclusive of improvements thereon, benefited. | | | | |
| 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 Golden Triangle Pedestrian Mall, for the | | | | |
| 15 | upcoming year, upon the real property, exclusive of improvements thereon, benefited the Counc | | | | |
| 16 | finds, as follows: | | | | |
| 17 | (a) A local maintenance district providing for the continuing care, operation, repair | | | | |
| 18 | maintenance and replacement of the Golden Triangle Pedestrian Mall, was created by Ordinance | | | | |
| 19 | No. 652, Series of 1996; | | | | |
| 20 | (b) The annual cost of the continuing care, operation, repair, maintenance and | | | | |
| 21 | replacement of the Golden Triangle Pedestrian Mall is \$16,340.00 which amount the Manager of | | | | |
| 22 | 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 Golden Triangle Pedestrian Mall currently has sufficient reserves to pay for | | | | |
| 28 | \$3,340.00 of the 2015 annual costs of the continuing care, operation, repair, maintenance and | | | | |
| 29 | replacement of the Golden Triangle Pedestrian Mall. | | | | |
| 30 | (e) The portion of the annual costs for the continuing care, operation, repair | | | | |
| 31 | maintenance and replacement of the Golden Triangle Pedestrian Mall to be assessed against the | | | | |
| 32 | properties, exclusive of improvements thereon, benefited is \$13,000.00; | | | | |
| 33 | (f) The real property within the Golden Triangle Pedestrian Mall will be benefited in an | | | | |
| 34 | amount equal to or in excess of the amount to be assessed against said property because | | | | |

35 of the continuing care, operation, repair, maintenance and replacement of said Pedestrian Mall.

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Section 2. The annual cost of the continuing care, operation, repair, maintenance and
 replacement of the Golden Triangle 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 Golden Triangle Pedestrian Mall in the amount of \$13,000.00 are hereby
assessed against the real properties, exclusive of improvements thereon, within said local
maintenance district as follows:

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

| 12 13 14 15 16 | SOUTH SUBDIVISION OF EVANS ADDITION TO DENVER BLOCK A Lots 14-17, inclusive 18-26 | \$ 569.66 \$ 161.23 |
|--|--|-------------------------------------|
| 17 18 19 20 21 22 23 | BLOCK B Lots 1-10, inclusive 11-13, inclusive | \$1,612.31 \$405.27 |
| 24 25 26 27 28 29 | SUBDIVISION OF BLOCKS 43, 44, 45, 46, 57, 58, 59, 60 IN EVANS ADDITION TO DENVER BLOCK 59 Lots 1-17, inclusive | \$2,792.52 |
| 30 31 32 33 34 35 36 | BLOCK 60 Lots West 120' lot 18 West 120' lot 19 20-34 | \$ 212.83 \$ 161.23 \$ 161.23 |
| 37 38 39 40 41 42 43 | WHITSITT'S ADDITION TO DENVER BLOCK 1 Whitsitt's Addition B1 Dif Book 1611-657 Whitsitt's Add, B1 S 62.5' of W 50' Whitsitt's Add B1 beg. 150' N of SW cor B1 the E 150' N 110.61' S 111.56' to POB | \$ 564.31 \$ 403.08 \$ 719.48 |
| 44 45 46 47 48 49 | BLOCK 2 Lots 10 11-20, inclusive | \$ 77.46 \$1,612.31 |

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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.

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

13 COMMITTEE APPROVAL DATE: September 11, 2014 [by consent]

14 MAYOR-COUNCIL DATE: September 16, 2014

| 15 | PASSED BY THE COUNCIL: | | | , 2014 | | |
|----------------------|---|-----------------------------|---|---------|--|--|
| 16 | | PRESII | DENT | | | |
| 17 | APPROVED: | MAYOF | २ | , 2014 | | |
| 18 19 20 | ATTEST: | EX-OF | AND RECORDER, FICIO CLERK OF THE ND COUNTY OF DEN | | | |
| 21 | NOTICE PUBLISHED IN THE DAILY JOURNAL: | | , 2014; | , 2014 | | |
| 22 | PREPARED BY: Jo Ann Weinstein, Assistant City | Attorney September 18, 2014 | | | | |
| 23 24 25 26 | 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. | | | | | |
| 27 | D. Scott Martinez, City Attorney | | | | | |
| 28 | BY:, Assistant City A | ttorney D | DATE: | _, 2014 | | |