

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2022

COUNCIL BILL NO. CB22-1256
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 32nd and Lowell 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 Executive Director of the Department of Transportation and Infrastructure that an ordinance be enacted for the purpose of assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the 32nd and Lowell Pedestrian Mall Local Maintenance District (“32nd and Lowell 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 32nd and Lowell Pedestrian Mall, was created by Ordinance No. 785, Series of 1992;

(b) The annual cost of the continuing care, operation, repair, maintenance and replacement of the 32nd and Lowell Pedestrian Mall is \$53,116.00, which amount the Executive Director of the Department of Transportation and Infrastructure has the authority to expend for the purposes stated herein;

(c) The Executive Director of the Department of Transportation and Infrastructure 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 Executive Director of the Department of Transportation and Infrastructure;

(d) The real property within the 32nd and Lowell 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 32nd and Lowell Pedestrian Mall.

1 **Section 2.** The annual costs of the continuing care, operation, repair, maintenance and
2 replacement of the 32nd and Lowell Pedestrian Mall to be assessed against the real properties,
3 exclusive of improvements thereon, benefited are hereby approved.

4 **Section 3.** The annual costs of the continuing care, operation, repair, maintenance and
5 replacement of the 32nd and Lowell Pedestrian Mall in the amount of \$53,116.00 are hereby
6 assessed against the real properties, exclusive of improvements thereon, within said local
7 maintenance district as follows:

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

11 SECOND FILING OF A PORTION OF HIGHLAND PARK
12 BLOCK 57

13 Lots	
14 23-24	\$374.49
15 25-39, inclusive	\$11,882.05
16 40-48, inclusive	\$5,647.67

17
18 KOUNTZE HEIGHTS
19 BLOCK 1

20 Lots	
21 23-24 and the west 1/2 of Lot 22, inclusive	\$2,388.50

22
23 BLOCK 2

24 Lots	
25 1 & east 18.75' of Lot 2, inclusive	\$1,669.97
26 3 and the east 1/2 Lot 4 & west 6.25' of Lot 2, inclusive	\$1,669.97
27 Lot 5 and the west 1/2 of Lot 4, inclusive	\$1,012.15
28 6	\$607.29
29 7	\$607.29
30 8-10, inclusive	\$2,388.62
31 11	\$607.29
32 12	\$607.29
33 13 and the east 5' of Lot 14, inclusive	\$769.22
34 West 20' of Lot 14 and the east 10' of Lot 15, inclusive	\$769.22
35 West 15' of Lot 15 and the east 15' of Lot 16, inclusive	\$769.22
36 West 10' of Lot 16 and the east 20' of Lot 17, inclusive	\$769.22
37 18 and the west 5' of Lot 17, inclusive	\$769.22
38 19	\$607.29
39 20	\$607.29
40 21-24, inclusive	\$3,825.78

41
42 PACKARDS HILL SUBDIVISION
43 BLOCK 1

44 Lots	
45 1-4, inclusive	\$3,785.33
46 5-10 (Adjusted), inclusive	\$2,429.14

1	West 100' of Lots 47-50, inclusive	\$2,530.26
2	East 25' of Lots 47-50, inclusive	\$445.33
3		
4	WOLFF PLACE	
5	BLOCK 5	
6	Lots	
7	East 31'9" of the west 63'6" of Lots 1-4, inclusive	\$587.10
8	East 31'9" of the west 95'3" of Lots 1-4, inclusive	\$546.56
9	East 31'10" of Lots 1-4, inclusive	\$526.29
10	W. 31'9" of Lots 1-4, inclusive	\$647.82
11	46-48, inclusive	\$2,894.66

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

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

22 **Section 6.** Any unspent revenue and revenue generated through investment shall be
23 retained and credited to the 32nd and Lowell Pedestrian Mall Local Maintenance District for future
24 long term or program maintenance of the District.

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1 COMMITTEE APPROVAL DATE: October 25, 2022 by Consent
2 MAYOR-COUNCIL DATE: November 8, 2022
3 PASSED BY THE COUNCIL: _____ November 21, 2022
4 _____ - PRESIDENT
5 APPROVED: _____ - MAYOR Nov 22, 2022
6 ATTEST: _____ - CLERK AND RECORDER,
7 EX-OFFICIO CLERK OF THE
8 CITY AND COUNTY OF DENVER
9 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____ ; _____
10 PREPARED BY: Bradley T. Neiman, Assistant City Attorney DATE: November 10, 2022
11 Pursuant to section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of the
12 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
16 Kerry Tipper, Interim Denver City Attorney
17
18 BY: Anshul Bagga, Assistant City Attorney DATE: Nov 10, 2022