

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2013

COUNCIL BILL NO. CB13-0798
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 22nd Street and Park Avenue West 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 22nd Street and Park Avenue West 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 22nd Street and Park Avenue West Pedestrian Mall, was created by Ordinance No. 1090, Series of 1994;

(b) The annual cost of the continuing care, operation, repair, maintenance and replacement of the 22nd Street and Park Avenue West Pedestrian Mall is \$55,000.00, 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 portion of the annual costs for the continuing care, operation, repair, maintenance and replacement of the 22nd Street and Park Avenue West Pedestrian Mall to be assessed against the properties, exclusive of improvements thereon, benefited are \$52,031.47;

(e) The portion of the annual costs of the continuing care, operation, repair, maintenance and replacement of the 22nd Street and Park Avenue West Pedestrian Mall to be borne by the City and County of Denver is \$2,968.53; and

(f) The real property within the 22nd Street and Park Avenue West 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.

1 **Section 2.** The annual cost of the continuing care, operation, repair, maintenance and
2 replacement of the 22nd Street and Park Avenue West Pedestrian Mall to be assessed against
3 the real properties, 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 22nd Street and Park Avenue West Pedestrian Mall in the amount of
6 \$52,031.47 are hereby assessed against the real properties, exclusive of improvements thereon,
7 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.

11		
12	EAST DENVER	
13	BLOCK 62	
14	Lots	
15	16	\$992.55
16	17	\$992.55
17		
18	BLOCK 63	
19	Lots	
20	1	\$990.57
21	32	\$990.57
22		
23	BLOCK 81	
24	Lots	
25	1	\$992.15
26	32	\$992.15
27		
28	BLOCK 82	
29	Lots	
30	16	\$990.17
31	17	\$990.17
32	32	\$508.37
33		
34	BLOCK 91	
35	Lots	
36	16	\$990.96
37	17	\$924.92
38		
39	BLOCK 92	
40	Lots	
41	1	\$988.98
42	32	\$988.98
43		
44	That portion of EAST DENVER commonly known as:	
45	STECK'S ADDITION	
46	BLOCK 26	
47	Lot	

1	1	\$988.59
2		
3	BLOCK 27	
4	Lot	
5	16	\$988.59
6		
7	BLOCK 34	
8	Lots	
9	16	\$988.59
10	17	\$988.59
11		
12	BLOCK 35	
13	Lots	
14	1	\$988.59
15	16	\$988.59
16	17	\$988.59
17	32	\$988.59
18		
19	BLOCK 36	
20	Lots	
21	1	\$988.59
22	32	\$988.59
23		
24	BLOCK 52	
25	Lots	
26	1	\$988.59
27	32	\$988.59
28		
29	BLOCK 53	
30	Lots	
31	1 - 16, inclusive	\$1,977.18
32	17	\$988.59
33	32	\$988.59
34		
35	BLOCK 54	
36	Lots	
37	16-17 and vacated alley, inclusive, excluding	
38	southeasterly 2' of Lot 17	\$2,087.90
39		
40	BLOCK 61	
41	Lots	
42	16 and vacated alley	\$1,051.86
43	17 and vacated alley	\$1,051.86
44		
45	BLOCK 62	
46	Lots	
47	1	\$992.55
48	32	\$992.55
49		
50	BLOCK 82	

1	Lot	
2	1	\$990.17
3		
4	GASTON'S ADDITION TO THE CITY OF DENVER	
5	BLOCK 3	
6	Lots	
7	T3 R68 S27 SW Quarter Dif Book 2516-311	\$1,186.31
8	Southeasterly 55' of L17	\$434.98
9		
10	STILES ADDITION TO CITY OF DENVER	
11	BLOCK 91	
12	Lots	
13	22-24, inclusive	\$466.77
14	25-26, inclusive	\$395.59
15	27	\$197.80
16	28-30, inclusive	\$593.39
17	31	\$395.59
18		
19	BLOCK 113	
20	Lot	
21	32	\$994.52
22		
23	BLOCK 114	
24	Lots	
25	1-4, inclusive	\$791.34
26	5-8, inclusive	\$791.34
27	9-12, inclusive	\$791.34
28	13-14, inclusive	\$364.02
29	17	\$992.55
30		
31	BLOCK 123	
32	Lots	
33	16	\$992.55
34	17-18, inclusive	\$1,388.22
35	19-32	\$197.84
36		
37	BLOCK 124	
38	Lot	
39	1	\$ 990.57
40		
41	BLOCK 146	
42	Lots	
43	1-3, inclusive	\$593.51
44	4	\$197.84
45	5-6, inclusive	\$395.67
46		
47	STILES ADDITION and CLEMENTS ADDITION TO CITY OF DENVER	
48	BLOCK 124	
49	Lot	
50	32	\$990.57

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

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

12 **Section 6.** Any unspent revenue and revenue generated through investment shall be retained
13 and credited to the 22nd Street and Park Avenue West Pedestrian Mall Local Maintenance
14 District for future long term or program maintenance of the District.

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

16 MAYOR-COUNCIL DATE: November 5_, 2013

17 PASSED BY THE COUNCIL _____ 2013

18 _____ - PRESIDENT

19 APPROVED: _____ - MAYOR _____ 2013

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

23 NOTICE PUBLISHED IN THE DAILY JOURNAL _____ 2013; _____ 2013

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

25 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
26 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
27 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
28 §3.2.6 of the Charter.

29 Douglas J. Friednash, City Attorney

30 BY: _____, _____ City Attorney - _____ 2013