

**BY AUTHORITY**

ORDINANCE NO. \_\_\_\_\_  
SERIES OF 2010

COUNCIL BILL NO. 10-0930

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 22<sup>nd</sup> 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 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 \$62,000.00 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 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 \$58,646.91;

(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 \$3,353.09; 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

1 property because of the continuing care, operation, repair, maintenance and replacement of said  
2 Pedestrian Mall.

3 **Section 2.** The annual cost of the continuing care, operation, repair, maintenance and  
4 replacement of the 22nd Street and Park Avenue West Pedestrian Mall to be assessed against  
5 the real properties, exclusive of improvements thereon, benefited are hereby approved.

6 **Section 3.** The annual costs of the continuing care, operation, repair, maintenance and  
7 replacement of the 22nd Street and Park Avenue West Pedestrian Mall in the amount of  
8 \$62,000.00 are hereby assessed against the real properties, exclusive of improvements thereon,  
9 within said local maintenance district as follows:

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

13		
14	EAST DENVER	
15	BLOCK 62	
16	Lots	
17	16	\$1,121.12
18	17	\$1,121.12
19		
20	BLOCK 63	
21	Lots	
22	1	\$1,118.89
23	32	\$1,118.89
24		
25	BLOCK 81	
26	Lots	
27	1	\$1,120.68
28	32	\$1,120.68
29		
30	BLOCK 82	
31	Lots	
32	16	\$1,118.44
33	17	\$1,118.44
34	32	\$574.23
35		
36	BLOCK 91	
37	Lots	
38	16	\$1,119.34
39	17	\$1,044.74
40		
41	BLOCK 92	
42	Lots	
43	1	\$1,117.10
44	32	\$1,117.10
45		

1	That portion of EAST DENVER commonly known as:	
2	STECK'S ADDITION	
3	BLOCK 26	
4	Lot	
5	1	\$1,116.66
6		
7	BLOCK 27	
8	Lot	
9	16	\$1,116.66
10		
11	BLOCK 34	
12	Lots	
13	16	\$1,116.66
14	17	\$1,116.66
15		
16	BLOCK 35	
17	Lots	
18	1	\$1,116.66
19	16	\$1,116.66
20	17	\$1,116.66
21	32	\$1,116.66
22		
23	BLOCK 36	
24	Lots	
25	1	\$1,116.66
26	32	\$1,116.66
27		
28	BLOCK 52	
29	Lots	
30	1	\$1,116.66
31	32	\$1,116.66
32		
33	BLOCK 53	
34	Lots	
35	1 - 16, inclusive	\$2,233.31
36	17	\$1,116.66
37	32	\$1,116.66
38		
39	BLOCK 54	
40	Lots	
41	16	\$1,116.66
42	17	\$1,116.66
43		
44	BLOCK 61	
45	Lots	
46	16 and ADJ Vacated Alley	\$1,188.12
47	17 and adj Vacated Alley	\$1,188.12
48		
49	BLOCK 62	

1	Lots	
2	1	\$1,121.12
3	32	\$1,121.12
4		
5	BLOCK 82	
6	Lot	
7	1	\$1,118.44
8		
9	GASTON'S ADDITION TO THE CITY OF DENVER	
10	BLOCK 3	
11	Lots	
12	T3 R68 S27 SW Quarter Dif Book 2516-311	\$1,339.99
13	Southeasterly 55' of L17	\$491.33
14		
15	STILES ADDITION TO CITY OF DENVER	
16	BLOCK 91	
17	Lots	
18	22-24, inclusive	\$527.24
19	25-26, inclusive	\$446.84
20	27	\$223.42
21	28-30, inclusive	\$670.26
22	31	\$446.84
23		
24	BLOCK 113	
25	Lot	
26	32	\$1,123.36
27		
28	BLOCK 114	
29	Lots	
30	1-4, inclusive	\$893.86
31	5-8, inclusive	\$893.86
32	9-12, inclusive	\$893.86
33	13-14, inclusive	\$411.18
34	17	\$1,121.12
35		
36	BLOCK 123	
37	Lots	
38	16	\$1,121.12
39	17-18, inclusive	\$1,568.05
40	19-32	\$223.47
41		
42	BLOCK 124	
43	Lot	
44	1	\$1,118.89
45		
46	BLOCK 146	
47	Lots	
48	1-3, inclusive	\$670.40
49	4	\$223.47

1 5-6, inclusive \$446.93  
2  
3 STILES ADDITION and CLEMENTS ADDITION TO CITY OF DENVER  
4 BLOCK 124  
5 Lot  
6 32 \$1,118.89  
7

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

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

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

21 **Section 7.** This Ordinance shall be recorded among the records of the Clerk and Recorder of  
22 the City and County of Denver.

23

1 COMMITTEE APPROVAL: (by Consent) October 28, 2010  
2 MAYOR-COUNCIL DATE: November 9, 2010  
3 PASSED BY THE COUNCIL \_\_\_\_\_ 2010

4 \_\_\_\_\_ - PRESIDENT  
5 APPROVED: \_\_\_\_\_ - MAYOR \_\_\_\_\_ 2010  
6 ATTEST: \_\_\_\_\_ - CLERK AND RECORDER,  
7 EX-OFFICIO CLERK OF THE  
8 CITY AND COUNTY OF DENVER

9 NOTICE PUBLISHED IN THE DAILY JOURNAL \_\_\_\_\_ 2010; \_\_\_\_\_ 2010

10 PREPARED BY: Mary Toornman - ASSISTANT CITY ATTORNEY - November 9, 2010

11 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of  
12 the 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 David R. Fine, City Attorney

16 BY: \_\_\_\_\_, \_\_\_\_\_ City Attorney - \_\_\_\_\_ 2010