

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2017

COUNCIL BILL NO. CB17-1194
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 Local Maintenance District (“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 \$273,900.00, 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 \$273,900.00 are hereby

1 assessed against the real properties, exclusive of improvements thereon, within said local
2 maintenance district as follows:

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

6		
7	ALKIRE BROTHER'S ADDITION TO BROADWAY TERRACE	
8	BLOCK 1	
9	Lots	
10	11-13 and the North 1/2 of Adj. Vacated West Irvington Place, inclusive	\$3,529.37
11	14-17, inclusive	\$3,068.17
12	18-20, inclusive	\$2,301.13
13		
14	MONTELIUS & WALKER ADDITION	
15	BLOCK 1	
16	Lots	
17	1-3, inclusive	\$8,290.69
18		
19	BROADWAY TERRACE	
20	BLOCK 13	
21	Lots	
22	15-16, South 16.24' 17, inclusive	\$3,224.15
23	North 33.76' 17, 18, South 1/2 19, inclusive	\$3,339.62
24	North 1/2 19, 20, inclusive	\$2,302.97
25		
26	BUSBY AND WILLIAMS RESUBDIVISION OF BLOCK SIX AND PART OF BLOCK SEVEN IN	
27	GALLUP'S SOUTH BROADWAY SUBDIVISION	
28	BLOCK 6	
29	Lots	
30	2-6, Exc rear 6', inclusive	\$5,242.79
31		
32	BYERS SUBDIVISION	
33	BLOCK 38	
34	Lots 1-5, inclusive, and the south half of adjacent vacated west Nevada Pl.,	
35	and the east half of the vacated alley adjacent to Lot 5.	
36	Schedule #0515204042000	\$5,005.12
37	Lots 44-48, inclusive, and the east half of the vacated alley adjacent to Lot 44.	
38	Schedule #0515204047000	\$3,930.41
39		
40	BLOCK 40	
41	Lots	
42	1-5, inclusive	\$3,930.41
43	Byers Sub B40 43-48 Exc	
44	Beg SW Cor 43 Th N 128.03' W	
45	5.39' S 128.03Ft W 5.39' to	
46	POB, inclusive	\$3,930.41
47		
48	BLOCK 44	
49	All of Block 44, and the west half of adjacent vacated South Bannock St.,	
50	and the north half of adjacent vacated west Nevada Pl.; Excepting there	
51	from the north 10 feet of said Block 44	
52	Schedule #0515202033000	\$19,498.48
53		
54	BLOCK 45	
55	Lots	
56	25-27, inclusive	\$2,302.97
57	28, West 1/2 29, inclusive	\$1,151.49

1	East 1/2 29, 30, inclusive	\$1,151.49
2	31-34, inclusive	\$3,070.62
3	35-39, West 1/2 40, inclusive	\$4,222.11
4	East 1/2 40, 41, inclusive	\$1,151.49
5	42, West 1/2 43, inclusive	\$1,151.49
6	44-48 & East 1/2 43, inclusive	\$4,222.11
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 Bannock Street and	
13	the North 1/2 of Adj. Vacated West Nevada Place, inclusive	\$28,051.40
14		
15	BLOCKS 39 - 42	
16	That portion of land as described in Schedule Number 0515205015000	\$4,083.93
17	That portion of land as described in Schedule Number 0515205017000	\$3,931.32
18	Block 39-42 & T4 R68 S15 NW/4 & Vac Ss. & Alys. Adj. Dif Und. Doc 4/9/96A, inclusive	\$18,562.56
19		
20	EXPOSITION ADDITION	
21	BLOCK 1	
22	Lots	
23	1-7, inclusive	\$5,373.59
24	8-10, inclusive	\$2,302.97
25	11-12, inclusive	\$1,535.32
26	13-14, inclusive	\$1,535.32
27	15-16, inclusive	\$1,535.32
28	17	\$ 767.65
29	18-21, North 6.25' 22, inclusive	\$3,262.54
30	South 1/2 23, 24, inclusive	\$2,111.05
31		
32	GALLUP'S RESUBDIVISION OF BLOCK 4 AND PART OF BLOCK 5 OF GALLUP'S	
33	BROADWAY SUBDIVISION	
34	BLOCK 4	
35	Lots	
36	1-4, inclusive	\$2,794.27
37	5-6, inclusive	\$1,535.32
38	7-9, North 20.8' 10, inclusive	\$2,941.66
39	South 4.2' 10, 11-12, inclusive	\$ 896.63
40		
41	BLOCK 5	
42	Lots	
43	North 50' West 1/2 Block 5	\$1,535.32
44	South 50' North 100' West 1/2 Block 5	\$1,535.32
45		
46	GREENWAY'S RESUBDIVISION OF BLOCK 36 BYER'S SUBDIVISION	
47	BLOCK 36	
48	Lots	
49	9-10, inclusive	\$4,114.64
50	11, East 8.33' 12, inclusive	\$1,023.44
51	West 16.67' 12, East 21.67' 13, inclusive	\$1,177.28
52	West 3.33' 13, 14, East 5' 15, inclusive	\$1,023.44
53	West 20' 15, East 11.67' 16, inclusive	\$ 972.47
54	West 13.33' 16, East 18.33' 17, inclusive	\$ 972.16
55	West 6.67' 17, 18, inclusive	\$ 972.47
56	19, East 1/2 20, inclusive	\$1,105.43
57	West 1/2 20, 21, 22, inclusive	\$1,965.21
58	23-28, inclusive	\$4,605.94
59		

1	KETTLE'S ADDITION TO DENVER	
2	BLOCK 3	
3	Lots	
4	1-24 & Vacated Alley, inclusive	\$9,211.88
5		
6	ONE BROADWAY PLAZA SUBDIVISION	
7	BLOCK 1	
8	That part of One Broadway Plaza Subdivision, defined as follows: Beginning at the southwest corner of	
9	Broadway and Vacated West Irvington Place; thence southerly along the west line of Broadway a distance of	
10	259.93 feet; thence westerly on an angle to the right of 89°56' 37" a distance of 165.50 feet; thence northerly on	
11	an angle to the right of 90°03'23" a distance of 112.70 feet; thence easterly on an angle to the right of 90°00'00"	
12	a distance of 17.50 feet; thence northerly on an angle to the right of 90°00'00" a distance of 33.00 feet; thence	
13	on an angle to the right of 90°00'00" a distance of 18.75 feet; thence northerly on an angle to the right of	
14	90°00'00" a distance of 114.21 feet to the south line of Vacated West Irvington Place; thence easterly along said	
15	south line a distance of 166.75 feet to the Point of Beginning, and the south 1/2 of adjacent Vacated West	
16	Irvington Place.	
17		\$9,209.73
18	PATTERSON'S SUBDIVISION	
19	BLOCK 1	
20	Lots	
21	1-5, 47, adj. vacated alley, inclusive	\$3,838.28
22	North 75' 6-8, and the North 75' of the East 15' 9, inclusive	\$2,302.97
23	9 Exc. the North 75' of the East 15' and 10-12, inclusive	\$1,535.32
24		
25	PIERCE AND HINMAN'S ADDITION TO BROADWAY TERRACE	
26	BLOCK 1	
27	Lots	
28	1-4, inclusive	\$3,066.95
29	5	\$766.74
30	6	\$766.74
31	7	\$766.74
32	8, North 16' 9, inclusive	\$1,258.04
33	South 8.97' 9, 10, North 16' 11, inclusive	\$1,533.47
34	South 8.97' 11, 12, inclusive	\$1,042.18
35	13	\$766.74
36	14	\$766.74
37	15	\$766.74
38	16-17, inclusive	\$1,533.47
39	18-19, inclusive	\$1,533.47
40	20-22, inclusive	\$2,300.21
41	23-24, inclusive	\$1,410.64
42		
43	POMEROY'S SOUTH BROADWAY SUBDIVISION	
44	BLOCK 1	
45	1-6, and the North 22.5' Lot 1, Block 2, inclusive	\$5,155.58
46		
47	BLOCK 2	
48	Lots	
49	1 Exc. the North 22.5', 2-3, inclusive	\$1,618.52
50	4, North 10.07' 5, inclusive	\$1,079.02
51	South 15' 5, 6 and Lots 1-4, Block 3, inclusive	\$4,309.63
52		
53	BLOCK 3	
54	Lots	
55	5-6 and Lot 1, Block 4, inclusive	\$2,309.42
56		
57	BLOCK 4	
58	2	\$ 769.81
59	3	\$ 769.81

1	4-6, inclusive	\$2,155.28
2		
3	SNYDER'S SUBDIVISION TO DENVER	
4	BLOCK 1	
5	West 125' 1-5, inclusive	\$3,759.98
6	West 125' 6-7, inclusive	\$1,504.00
7	West 125' 8-9, inclusive	\$1,504.00
8	West 125' 10-15, inclusive	\$4,511.97
9	West 125' 16-17, inclusive	\$1,504.00
10	West 125' 18-19, inclusive	\$1,504.00
11	West 125' 20-21 and a Strip 0.85' Wide on the West and 0.95' Wide on the East on the North Side of	
12	the West 125' Lot 22, inclusive	\$1,530.09
13	West 125' 22 Exc. a Strip 0.85' Wide on the West and 0.95' Wide on the East on the North Side of	
14	the West 125' Lot 22, West 125' 23-24, inclusive	\$2,229.89
15		
16	UNPLATTED	
17	That part of the SE 1/4, NW 1/4, Section 15, T.4S., R.68W. of the 6th P.M. bounded by the west line of South	
18	Broadway, a line 158 feet west of and parallel with said west line, the south line of Vacated West Virginia	
19	Avenue and a line 589.77 feet south of and parallel with said south line.	
20		\$ 3,776.88
21	The south 42 feet of the NE 1/4, of the SE 1/4, of the NW 1/4 of SEC 15, TWP 4S, RNG 68W	
22	of the 6 th PM, City and County of Denver, State of Colorado. Schedule #0515200037000	\$ 1,289.66

23

24 **Section 4.** The assessments made pursuant hereto shall be a lien in the several amounts

25 assessed against each lot or tract of land set forth in Section 3 herein, and such lien shall have the

26 priority of the lien for local public improvement districts.

27 **Section 5.** Without demand, said assessments as set forth in Section 3 herein, shall be

28 due and payable on the first day of January of the year next following the year in which this assessing

29 ordinance became effective, and said assessments shall become delinquent if not paid by the last

30 day of February of the year next following the year in which this assessing ordinance became

31 effective. A failure to pay said assessments as hereinabove set forth shall become a lien on the

32 property subject to the assessment, and such lien may be sold by the City as provided by the Charter

33 and ordinances of the City and County of Denver.

34 **Section 6.** Any unspent revenue and revenue generated through investment shall be

35 retained and credited to the Phase II Broadway Pedestrian Mall Local Maintenance District for future

36 long term or program maintenance of the District.

37 **[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK]**

1 COMMITTEE APPROVAL DATE: October 31, 2017 by Consent
2 MAYOR-COUNCIL DATE: November 7, 2017
3 PASSED BY THE COUNCIL: _____ November 20, 2017
4 _____ *Alan Bock* - PRESIDENT
5 APPROVED: _____ - MAYOR _____
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: Jo Ann Weinstein, Assistant City Attorney DATE: November 9, 2017
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 Kristin M. Bronson, Denver City Attorney
16 BY: *Kristin J. Crawford*, Assistant City Attorney DATE: Nov 7, 2017