

1 BY AUTHORITY

2 ORDINANCE NO. _____
3 SERIES OF 2021

COUNCIL BILL NO. CB21-1170
COMMITTEE OF REFERENCE:
4 Land Use, Transportation & Infrastructure

5 A BILL

6 **For an ordinance assessing the annual costs of the continuing care, operation,**
7 **repair, maintenance and replacement of the St. Luke’s Pedestrian Mall Local**
8 **Maintenance District upon the real property, exclusive of improvements thereon,**
9 **benefited.**

10
11 **BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:**

12 **Section 1.** Upon consideration of the recommendation of the Executive Director of the
13 Department of Transportation and Infrastructure that an ordinance be enacted for the purpose of
14 assessing the annual costs of the continuing care, operation, repair, maintenance and replacement
15 of the St. Luke’s Pedestrian Mall Local Maintenance District (“St. Luke’s Pedestrian Mall”), for the
16 upcoming year, upon the real property, exclusive of improvements thereon, benefited, the Council
17 finds, as follows:

18 (a) A local maintenance district providing for the continuing care, operation, repair,
19 maintenance and replacement of the St. Luke’s Pedestrian Mall, was created by Ordinance No. 878,
20 Series of 2000;

21 (b) The annual cost of the continuing care, operation, repair, maintenance and
22 replacement of the St. Luke’s Pedestrian Mall is \$148,700.00, which amount the Executive Director
23 of the Department of Transportation and Infrastructure has the authority to expend for the purposes
24 stated herein;

25 (c) The Executive Director of the Department of Transportation and Infrastructure has
26 complied with all provisions of law relating to the publishing of notice to the owners of real properties
27 to be assessed and to all persons interested generally, and the Council sitting as a Board of
28 Equalization has heard and determined all written complaints and objections, if any, filed with the
29 Executive Director of the Department of Transportation and Infrastructure; and

30 (d) The real property within the St. Luke’s Pedestrian Mall will be benefited in an amount
31 equal to or in excess of the amount to be assessed against said property because of the continuing
32 care, operation, repair, maintenance and replacement of said St. Luke’s Pedestrian Mall.

33 **Section 2.** The annual cost of the continuing care, operation, repair, maintenance and
34 replacement of the St. Luke’s Pedestrian Mall to be assessed against the real properties, exclusive
35 of improvements thereon, benefited are hereby approved.

1 **Section 3.** The annual costs of the continuing care, operation, repair, maintenance and
 2 replacement of the St. Luke's Pedestrian Mall in the amount of \$148,700.00 are hereby assessed
 3 against the real properties, exclusive of improvements thereon, within said local maintenance district
 4 as follows:

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

9 CLEMENTS ADDITION TO THE CITY AND COUNTY OF DENVER

10	Block 251	
11	All of Block 251 and the adjoining parcel described in Ordinance 692 of 1987	
12	and the adjoining portion of Cleveland Place Vacated by Ordinance 243 of 1975,	
13	except the northerly 19 feet of Cleveland Place adjoining Lot 26-32 inclusive	\$8,356.30
14		
15	Block 249	
16	Lots	
17	18-19, inclusive	\$1,129.22
18	20-21, inclusive	\$1,129.24
19	22-34, inclusive	\$7,340.00
20		
21	Block 250	
22	Lots	
23	1-34, inclusive and the adj Vacated Alley	\$31,211.92
24		
25	Block 261	
26	Lots	
27	1-34, inclusive and the West 1/2 of the vacated alley	\$31,211.92
28		
29	Block 262	
30	Lots	
31	1-7, inclusive and the North 15' of Lot 8 and the vacated alley adjacent to	
32	Lots 1 to 5, and Lots 27-32 inclusive except for a parcel beginning at the SE corner	
33	of Lot 27, thence West 125', thence North 25', thence East 24', thence SE	
34	15', thence East 89', thence South 16' to Point of Beginning	\$13,324.93
35	9-16, inclusive and the South 10' of Lot 8	\$4,742.77
36	7-22, inclusive	\$3,387.70
37	23	\$564.62
38	24	\$564.62
39	25	\$564.62
40	26	\$564.62
41		
42	Block 263	
43	Lots	
44	17-32, inclusive	\$9,045.10
45		
46		

1	Block 286	
2	Lots	
3	1-32, inclusive and the adj vacated alley	\$24,075.20
4		
5	Block 297	
6	Lots	
7	1-12, inclusive	\$9,228.73
8	13-16, inclusive	\$2,258.46

9

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

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

20 **Section 6.** Any unspent revenue and revenue generated through investment shall be
21 retained and credited to the St. Luke's Pedestrian Mall Local Maintenance District for future long
22 term or program maintenance of the District.

23 COMMITTEE APPROVAL DATE: October 12, 2021 by Consent

24 MAYOR-COUNCIL DATE: October 19, 2021

25 PASSED BY THE COUNCIL: _____

26 _____ - PRESIDENT

27 APPROVED: _____ - MAYOR _____

28 ATTEST: _____ - CLERK AND RECORDER,
29 EX-OFFICIO CLERK OF THE
30 CITY AND COUNTY OF DENVER

31 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____ ; _____

32 PREPARED BY: Bradley T. Neiman, Assistant City Attorney DATE: October 21, 2021

33 Pursuant to section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of the
34 City Attorney. We find no irregularity as to form and have no legal objection to the proposed
35 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to §
36 3.2.6 of the Charter.

37
38 Kristin M. Bronson, Denver City Attorney

39 BY: _____, Assistant City Attorney DATE: _____