

1 **BY AUTHORITY**

2 ORDINANCE NO.
3 SERIES OF 2010

COUNCIL BILL NO. CB10-0787
COMMITTEE OF REFERENCE:

4 Land Use, Transportation & Infrastructure

5 **A BILL**

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

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

11 **Section 1.** Upon consideration of the recommendation of the Manager of Public Works that an
12 ordinance be enacted for the purpose of assessing the annual costs of the continuing care,
13 operation, repair, maintenance and replacement of the Santa Fe Drive Pedestrian Mall B upon
14 the real property, exclusive of improvements thereon, benefited the Council finds, as follows:

15 (a) A local maintenance district providing for the continuing care, operation, repair,
16 maintenance and replacement of the Santa Fe Drive Pedestrian Mall B, was created by
17 Ordinance No. 980, Series of 1996;

18 (b) The annual costs of the continuing care, operation, repair, maintenance and
19 replacement of the Santa Fe Drive Pedestrian Mall B are \$33,437.00 which amount the Manager
20 of Public Works has the authority to expend for the purposes stated herein;

21 (c) The Manager of Public Works has complied with all provisions of law relating to the
22 publishing of notice to the owners of real properties to be assessed and to all persons interested
23 generally, and the Council sitting as a Board of Equalization has heard and determined all written
24 complaints and objections filed with the Manager of Public Works;

25 (d) The real property within the Santa Fe Drive Pedestrian Mall B will be benefited in
26 an amount equal to or in excess of the amount to be assessed against said property because of
27 the continuing care, operation, repair, maintenance and replacement of said Pedestrian Mall.

28 **Section 2.** The annual costs of the continuing care, operation, repair, maintenance and
29 replacement of the Santa Fe Drive Pedestrian Mall B to be assessed against the real properties,
30 exclusive of improvements thereon, benefited are hereby approved.

31 **Section 3.** The annual costs of the continuing care, operation, repair, maintenance and
32 replacement of the Santa Fe Drive Pedestrian Mall B in the amount of \$33,437.00 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
4 shall be the total for all lots in the series. Where a series of lots is not followed by "inclusive", the
5 amount appearing after such series shall be the assessment for each lot in the series.

6

7 WITTER'S FIRST ADDITION TO THE CITY OF DENVER

8 BLOCK 16

9 Lots

10 West 5.75' Lots 19 and 20 and South 11.099' Lot 18, inclusive \$679.43

11

12 HALLACK'S SUBDIVISION OF BLOCKS 27, 28, 38, 39 OF WITTER'S FIRST
13 ADDITION TO THE CITY OF DENVER

14 BLOCK 27

15 Lots

16 1-20 \$265.78

17

18 BLOCK 28

19 Lots

20 1-20 \$265.41

21

22 BLOCK 39

23 Lots

24 1-9 \$265.49

25 10 \$176.66

26

27 HUNT'S ADDITION TO DENVER

28 BLOCK 12

29 Lots

30 21-23 \$265.83

31

32 BLOCK 13

33 Lots

34 21-38 \$265.73

35 East 100.5' Lots 39 and 40 \$265.73

36

37 BLOCK 20

38 Lots

39 East 100.0' Lots 21-25 \$265.83

40 26-40 \$265.83

41

42 BLOCK 21

43 Lots

44 21-40 \$265.41

45 SMITH'S ADDITION TO THE CITY OF DENVER

46 BLOCK 6

47 Lots

1	10	\$176.66
2	11-20	\$265.41

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

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

14 **Section 6.** Any unspent revenue and revenue generated through investment shall be retained
15 and credited to the Santa Fe Drive Pedestrian Mall B Local Maintenance District for future long
16 term or program maintenance of the District.

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

19

1 COMMITTEE APPROVAL: September 14, 2010
2 MAYOR-COUNCIL DATE: September 21, 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 - September 23, 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 City Attorney

16 BY: _____, _____ City Attorney - _____ 2010