

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2014

COUNCIL BILL NO. CB14-0732
COMMITTEE OF REFERENCE:
Infrastructure & Culture

A BILL

For an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Delgany Street 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 Delgany Street 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 Delgany Street Pedestrian Mall, was created by Ordinance No. 755, Series of 2002;

(b) The annual cost of the continuing care, operation, repair, maintenance and replacement of the Delgany Street Pedestrian Mall is \$17,135.00, 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 Delgany Street Pedestrian Mall currently has sufficient reserves to pay for \$1,050 of the 2015 annual costs of the continuing care, operation, repair, maintenance and replacement of the Delgany Street Pedestrian Mall.

(e) The portion of the annual costs for the continuing care, operation, repair, maintenance and replacement of the Delgany Street Pedestrian Mall to be assessed against the properties, exclusive of improvements thereon, benefited are \$16,085.00;

(f) The real property within the Delgany Street 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 Delgany Street Pedestrian Mall to be assessed against the real properties,
3 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 Delgany Street Pedestrian Mall in the amount of \$16,085.00 are hereby
6 assessed against the real properties, exclusive of improvements thereon, within said local
7 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.

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12	EAST DENVER, THE COMMONS SUBDIVISION, FILING #1	
13	BLOCK 1	
14	Lot	
15	1	\$4,770.97
16		
17	BLOCK 11	
18	Lots	
19	11-12, inclusive	\$3,407.84
20	13-16, inclusive	\$7,906.19
21		

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

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

32 **Section 6.** Any unspent revenue and revenue generated through investment shall be retained
33 and credited to the Delgany Street Pedestrian Mall Local Maintenance District for future long
34 term or program maintenance of the District.

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36 **[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]**
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1 COMMITTEE APPROVAL: September 11, 2014 [by consent]
2 MAYOR-COUNCIL DATE: September 16, 2014
3 PASSED BY THE COUNCIL _____ 2014

4 _____ - PRESIDENT
5 APPROVED: _____ - MAYOR _____ 2014
6 ATTEST: _____ - CLERK AND RECORDER,
7 EX-OFFICIO CLERK OF THE
8 CITY AND COUNTY OF DENVER

9 NOTICE PUBLISHED IN THE DAILY JOURNAL _____ 2014; _____ 2014

10 PREPARED BY: Jo Ann Weinstein, Assistant City Attorney DATE: September 18, 2014

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 D. Scott Martinez, Denver City Attorney

16 BY: _____, Assistant City Attorney DATE: _____, 2014

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