

1 **BY AUTHORITY**

2 ORDINANCE NO. \_\_\_\_\_  
3 SERIES OF 2013

COUNCIL BILL NO. CB13-0714  
COMMITTEE OF REFERENCE:  
Land Use, Transportation & Infrastructure

4  
5 **A BILL**

6 **For an ordinance assessing the annual costs of the continuing care,**  
7 **operation, repair, maintenance and replacement of the Broadway Pedestrian**  
8 **Mall A Local Maintenance District upon the real property, exclusive of**  
9 **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 Broadway Pedestrian Mall A, for the  
14 upcoming year, upon the real property, exclusive of improvements thereon, benefited the Council  
15 finds, as follows:

16 (a) A local maintenance district providing for the continuing care, operation, repair,  
17 maintenance and replacement of the Broadway Pedestrian Mall A, was created by Ordinance  
18 No. 839, Series of 1998;

19 (b) The annual cost of the continuing care, operation, repair, maintenance and  
20 replacement of the Broadway Pedestrian Mall A is \$49,000.00, which amount the Manager of  
21 Public Works has the authority to expend for the purposes stated herein;

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

26 (d) The portion of the annual costs for the continuing care, operation, repair,  
27 maintenance and replacement of the Broadway Pedestrian Mall A to be assessed against the  
28 properties, exclusive of improvements thereon, benefited are \$42,542.92;

29 (e) The portion of the annual costs of the continuing care, operation, repair,  
30 maintenance and replacement of the Broadway Pedestrian Mall A to be borne by the City and  
31 County of Denver is \$6,457.08; and

32 (f) The real property within the Broadway Pedestrian Mall A will be benefited in an  
33 amount equal to or in excess of the amount to be assessed against said property because of the  
34 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 Broadway Pedestrian Mall A 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 Broadway Pedestrian Mall A in the amount of \$42,542.92 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.

11		
12	BROADWAY ADDITION TO BYERS SUBDIVISION	
13	BLOCK 3	
14	Lots	
15	11	\$756.39
16	12-20	\$630.32
17	12' Wide Strip Adjacent to Lot 11	\$302.56
18		
19	BLOCK 4	
20	Lots	
21	11-14	\$628.91
22	15 South 12.5 feet	\$315.16
23		
24	GREENWAY'S RESUBDIVISION OF BLOCK 36	
25	BLOCK 36	
26	Lots	
27	1	\$783.11
28	2-8	\$631.84
29		
30	POLK'S RESUBDIVISION OF BLOCK 33, BYERS SUBDIVISION	
31	BLOCK 33	
32	Lots	
33	1-9	\$630.32
34	10	\$781.60
35		
36	POLK'S RESUBDIVISION OF BLOCK 34, BYERS SUBDIVISION	
37	BLOCK 34	
38	Lots	
39	1-9	\$630.32
40	10	\$781.60
41		
42	RESUBDIVISION OF BLOCKS 1, 2 AND 3 GALLUP'S SOUTH BROADWAY	
43	SUBDIVISION	
44	Lots	
45	1	\$503.86
46	2-18	\$629.89
47	19	\$3,653.35

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

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

11 **Section 6.** Any unspent revenue and revenue generated through investment shall be retained  
12 and credited to the Broadway Pedestrian Mall A Local Maintenance District for future long term  
13 or program maintenance of the District.

14 COMMITTEE APPROVAL: (by Consent) October 17, 2013

15 MAYOR-COUNCIL DATE: October 22, 2013

16 PASSED BY THE COUNCIL \_\_\_\_\_ 2013

17 \_\_\_\_\_ - PRESIDENT

18 APPROVED: \_\_\_\_\_ - MAYOR \_\_\_\_\_ 2013

19 ATTEST: \_\_\_\_\_ - CLERK AND RECORDER,  
20 EX-OFFICIO CLERK OF THE  
21 CITY AND COUNTY OF DENVER

22 NOTICE PUBLISHED IN THE DAILY JOURNAL \_\_\_\_\_ 2013; \_\_\_\_\_ 2013

23 PREPARED BY: Jo Ann Weinstein - ASSISTANT CITY ATTORNEY - October 24, 2013

24 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of  
25 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed  
26 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to  
27 §3.2.6 of the Charter.

28 Douglas J. Friednash, City Attorney

29 BY: \_\_\_\_\_, \_\_\_\_\_ City Attorney - \_\_\_\_\_ 2013