

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2013

COUNCIL BILL NO. CB13-0801
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 South Broadway Streetscape (Iowa Avenue to Wesley Avenue) 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 South Broadway Streetscape (Iowa Avenue to Wesley Avenue) Local Maintenance District, 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 South Broadway Streetscape (Iowa Avenue to Wesley Avenue) Local Maintenance District, was created by Ordinance No. 235, Series of 2011;

(b) The annual costs of the continuing care, operation, repair, maintenance and replacement of the South Broadway Streetscape (Iowa Avenue to Wesley Avenue) Local Maintenance District are \$118,655.00 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 South Broadway Streetscape (Iowa Avenue to Wesley Avenue) Local Maintenance District 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 Streetscape.

Section 2. The annual costs of the continuing care, operation, repair, maintenance and replacement of the South Broadway Streetscape (Iowa Avenue to Wesley Avenue) Local Maintenance District to be assessed against the real properties, exclusive 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 South Broadway Streetscape (Iowa Avenue to Wesley Avenue) Local
 3 Maintenance District in the amount of \$118,655.00 are hereby assessed against the real
 4 properties, exclusive of improvements thereon, within said local maintenance district as follows:
 5 NOTE: Where a series of lots is followed by "inclusive", the amount appearing after the series
 6 shall be the total for all lots in the series. Where a series of lots is not followed by "inclusive", the
 7 amount appearing after such series shall be the assessment for each lot in the series.

8

9 BREENLOW SUBDIVISION OF SOUTH DENVER
 10 BLOCK 8
 11 Lots

12 25-27, inclusive	\$944.14
13 28-32, inclusive	\$1,573.57
14 33-35, inclusive	\$944.14
15 36	\$314.71
16 37-40, inclusive	\$1,258.85
17 41-42, inclusive	\$629.43
18 43-46 & south ½ of Lot 47, inclusive	\$1,416.21
19 48 & north ½ of Lot 47, inclusive	\$472.07

20

21 CARTERDALE
 22 BLOCK 1
 23 Lots

24 West 87' of Lot 1-2 & of north 4.5' of Lot 3 & west 89.8' of 25 south 20.5' of Lot 3, inclusive	\$944.14
26 4-5, inclusive	\$629.43
27 6-7, inclusive	\$629.43
28 8-10, inclusive	\$944.14
29 11-12, inclusive	\$629.43
30 13-24, inclusive	\$3,776.56

31

32 BLOCK 4
 33 Lots

34 1-6, inclusive, excluding the south 6' of Lot 6 & west ½ of vacated alley	\$1,812.75
35 7-10 & north ¼ of Lot 11 & south 6' of Lot 6 & west ½ of vacated alley, inclusive	\$1,413.06
36 12-19 & south 18.75' of Lot 11, inclusive, excluding the west 5' of 37 said lots & west ½ of vacated alley	\$2,754.37
38 20-23 & west ½ of vacated alley, inclusive	\$1,258.85

39

40 GRANT SUB-DIVISION
 41 BLOCK 1
 42 Lots

43 1-2, inclusive, excluding part to City for street	\$629.43
44 3-4, inclusive, excluding part on west to City	\$629.43
45 5-6, inclusive, excluding part on west to City	\$629.43
46 7-8, inclusive, excluding part on west to City	\$629.43
47 9-15, inclusive, excluding part on west to City	\$2,203.00

1	16-18, inclusive, excluding part on west to City	\$944.14
2	19 and north ½ of Lot 20, inclusive	\$472.07
3	North 22.5' of Lot 21 & south ½ of Lot 20, inclusive, excluding part to City	\$440.60
4	22 & 23 & south 2.5' of Lot 21, inclusive, excluding part on west to City	\$660.90
5		
6	BLOCK 16	
7	Lots	
8	1-2, inclusive, excluding part on west to City	\$629.43
9	3-4, inclusive, excluding part on west to City	\$629.43
10	5-8, inclusive, excluding part on west to City	\$1,258.85
11	9, excluding part on west to City	\$314.71
12	10, excluding part on west to City	\$314.71
13	11-16, inclusive, excluding part to City	\$1,888.28
14	17, excluding part on west to City	\$314.71
15	18-19, inclusive, excluding part on west to City	\$629.43
16	20-22, inclusive, excluding part on west to City	\$944.14
17	23-24, inclusive, excluding part on west to City	\$629.43
18		
19	LAWNDALE SUBDIVISION	
20	BLOCK 1	
21	1-6 & 43-48 & portion of vacated alley, inclusive, excluding northerly	
22	portions of Lot 1 & Lot 48	\$1,491.74
23	7-15, inclusive	\$2,832.42
24	16-19, inclusive	\$1,258.85
25	20	\$314.71
26	21-22, inclusive	\$629.43
27	23-24, inclusive	\$629.43
28		
29	OVERLAND PARK SUB-DIVISION	
30	BLOCK 9	
31	Lots	
32	25-36& east ½ of vacated alley, inclusive	\$3,776.56
33	37-38, inclusive	\$629.43
34	39-40, inclusive	\$629.43
35	41-48, inclusive	\$2,517.71
36		
37	BLOCK 10	
38	Lots	
39	25-28, inclusive	\$1,258.85
40	29-31, inclusive	\$944.14
41	32-34, inclusive	\$944.14
42	35-40, inclusive	\$1,888.28
43	41-43, inclusive	\$944.14
44	44-48, inclusive	\$1,573.57
45		
46	BLOCK 13	
47	Lots	
48	25-26 & south ½ of Lot 27, inclusive	\$786.78
49	28-29 & north ½ of Lot 27 & south ½ of Lot 30, inclusive	\$944.14

1	31 and north ½ of Lot 30, inclusive	\$472.07
2	32-33, inclusive	\$629.43
3	34-35, inclusive	\$629.43
4	36 and south 8.33' of Lot 37, inclusive	\$419.20
5	North 2/3 of Lot 37 and south 2/3 of Lot 38, inclusive	\$419.60
6	North 1/3 of Lot 38 & Lots 39-43, inclusive	\$1,678.05
7	44-48, inclusive	\$1,573.57
8		
9	ROSEDALE	
10	BLOCK 1	
11	Lots	
12	25-26, inclusive	\$629.43
13	27-28, inclusive	\$629.43
14	29-32, inclusive	\$1,258.85
15	33-36, inclusive	\$1,258.85
16	37-38, inclusive	\$629.43
17	39-42, inclusive	\$1,258.83
18	43-46, inclusive	\$1,258.83
19	47	\$314.71
20	48	\$314.71
21		
22	BLOCK 8	
23	26-32 & Clarks Addition to Denver Lot 25 defined as follows; beginning	
24	4.2' south of the northwest corner of Lot 32 east 119' south 167.78' west	
25	119.01' to point on west line of Lot 26 Clarks Addition to Denver north	
26	to point of beginning, inclusive	\$2,112.36
27	33-38 & north 4.2' of Lot 32, inclusive	\$1,941.15
28	39-42, inclusive	\$1,258.85
29	43-45, inclusive	\$944.14
30	46-48, inclusive	\$944.14
31		
32	BLOCK 9	
33	25-29 & east ½ of vacated alley, inclusive	\$1,573.57
34	30 & south ½ of Lot 31 & east ½ of vacated alley, inclusive	\$472.07
35	32-44 & north ½ of Lot 31 & east ½ of vacated alley, inclusive, excluding	
36	a portion of the easterly part of Lots 42-44	\$4,248.63
37	45-46 & east ½ of vacated alley, inclusive, excluding a portion of the	
38	easterly part of Lots 45-46 & northerly part of Lot 46	\$556.41
39		
40	BLOCK 16	
41	Lots	
42	25-29, inclusive	\$1,573.57
43	30-31, inclusive	\$629.43
44	32-33, inclusive	\$629.43
45	34-38, inclusive	\$1,573.57
46	39-40, inclusive	\$629.43
47	41-43 & south ½ of Lot 44, inclusive	\$1,101.50
48	45-48 & north ½ of Lot 44, inclusive	\$1,416.19
49		

1	BLOCK 17	
2	Lots	
3	1-7, inclusive	\$2,203.00
4	8	\$314.71
5	9-10, inclusive	\$629.43
6	11	\$314.71
7	12-13 & north 12.5' of Lot 14, inclusive	\$786.78
8	14, excluding north 12.5' thereof & Lot 15, inclusive	\$472.07
9	16-17, inclusive	\$629.43
10	18-21, inclusive	\$1,258.85
11	22-23, inclusive	\$629.43
12	24	\$314.71
13		
14	BLOCK 20	
15	Lots	
16	1-9, inclusive, excluding the west 5' thereof	\$2,832.42
17	10 and north 1/3 of Lot 11, inclusive	\$419.51
18	South 2/3 of Lot 11 and north 2/3 of Lot 12, inclusive	\$419.20
19	13 and south 1/3 of Lot 12, inclusive	\$419.51
20	14-15, inclusive	\$629.43
21	16-17, inclusive	\$629.43
22	18 & north 1/2 of Lot 19, inclusive	\$472.07
23	20 & south 1/2 of Lot 19, inclusive	\$472.07
24	21-22, inclusive	\$629.43
25	23-24, inclusive	\$629.43
26		
27	THE FIRST SANTA FE ADDITION TO THE TOWN OF SOUTH DENVER	
28	BLOCK 1	
29	Lots	
30	1-9, inclusive, excluding part on west to City	\$2,832.42
31	10-13, inclusive, excluding part on west to City	\$1,258.85
32	14-16, inclusive, excluding part on west to City	\$944.14
33	17, excluding part on west to City	\$314.71
34	18-19, inclusive, excluding part on west to City	\$629.43
35	20-24, inclusive, excluding part on west to City	\$1,460.27

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

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

1 **Section 6.** Any unspent revenue and revenue generated through investment shall be
2 retained and credited to the South Broadway Streetscape (Iowa Avenue to Wesley Avenue) Local
3 Maintenance District for future long term or program maintenance of the District.

4 COMMITTEE APPROVAL DATE: (by Consent) October 31, 2013

5 MAYOR-COUNCIL DATE: November 5, 2013

6 PASSED BY THE COUNCIL: _____, 2013

7 _____ - PRESIDENT

8 APPROVED: _____ - MAYOR _____, 2013

9 ATTEST: _____ - CLERK AND RECORDER,
10 EX-OFFICIO CLERK OF THE
11 CITY AND COUNTY OF DENVER

12 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____, 2013; _____, 2013

13 PREPARED BY: Jo Ann Weinstein - ASSISTANT CITY ATTORNEY - November 7, 2013

14 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
15 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
16 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
17 §3.2.6 of the Charter.

18 Douglas J. Friednash, City Attorney

19 BY: _____, Assistant City Attorney DATE: _____, 2013