

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2010

COUNCIL BILL NO. CB10-0836
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 Golden Triangle 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 Golden Triangle Pedestrian Mall 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 Golden Triangle Pedestrian Mall, was created by Ordinance No. 652, Series of 1996;

(b) The annual cost of the continuing care, operation, repair, maintenance and replacement of the Golden Triangle Pedestrian Mall is \$16,340.00 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 filed with the Manager of Public Works;

(d) The real property within the Golden Triangle 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.

Section 2. The annual cost of the continuing care, operation, repair, maintenance and replacement of the Golden Triangle Pedestrian Mall to be assessed against the real properties, exclusive of improvements thereon, benefited are hereby approved.

Section 3. The annual costs of the continuing care, operation, repair, maintenance and replacement of the Golden Triangle Pedestrian Mall in the amount of \$16,340.00 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	SOUTH SUBDIVISION OF EVANS ADDITION TO DENVER	
7	BLOCK A	
8	Lots	
9	14-17, inclusive	\$716.02
10	18-26	\$202.66
11	BLOCK B	
12	Lots	
13	1-10, inclusive	\$2,026.55
14	11-13, inclusive	\$509.39
15	SUBDIVISION OF BLOCKS 43, 44, 45, 46, 57, 58, 59, 60 IN EVANS ADDITION TO DENVER	
16	BLOCK 59	
17	Lots	
18	1-17, inclusive	\$3,509.99
19	BLOCK 60	
20	Lots	
21	West 120' lot 18	\$267.50
22	West 120' lot 19	\$202.66
23	20-34	\$202.66
24	WHITSITT'S ADDITION TO DENVER	
25	BLOCK 1	
26	Whitsitt's Addition B1 Dif Book 1611-657	\$709.30
27	Whitsitt's Add, B1 S 62.5' of W 50'	\$506.64
28	Whitsitt's Add B1 beg. 150' N of SW cor B1 the E 150' N 110.61' S 111.56' to POB	\$904.33
29	BLOCK 2	
30	Lots	
31	10	\$97.36
32	11-20, inclusive	\$2,026.55

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

42 **Section 5.** Without demand, said assessments as set forth in Section 3 herein, shall be due
43 and payable on the first day of January of the year next following the year in which this assessing
44 ordinance became effective, and said assessments shall become delinquent if not paid by the last
45 day of February of the year next following the year in which this assessing ordinance became
46 effective. A failure to pay said assessments as hereinabove set forth shall subject the property
47 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 Golden Triangle Pedestrian Mall Local Maintenance District for future
3 long term or program maintenance of the District.

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

6 COMMITTEE APPROVAL DATE: (by consent) September 30, 2010

7 MAYOR-COUNCIL DATE: October 5, 2010

8 PASSED BY THE COUNCIL: _____, 2010

9 _____ - PRESIDENT

10 APPROVED: _____ - MAYOR _____, 2010

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

14 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____, 2010; _____, 2010

15 PREPARED BY: Mary Toornman - ASSISTANT CITY ATTORNEY DATE: October 7, 2010

16 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
17 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
18 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
19 §3.2.6 of the Charter.

20 David R. Fine, City Attorney

21 BY: _____, Assistant City Attorney DATE: _____, 2010