

1 **BY AUTHORITY**

2 ORDINANCE NO. _____
3 SERIES OF 2012

COUNCIL BILL NO. CB12-0824
COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

6 **A BILL**

7 **For an ordinance assessing the annual costs of the continuing care, operation,**
8 **repair, maintenance and replacement of the Tennyson II Street Pedestrian Mall**
9 **Local Maintenance District upon the real property, exclusive of improvements**
10 **thereon, benefited.**

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

12 **Section 1.** Upon consideration of the recommendation of the Manager of Public Works that
13 an ordinance be enacted for the purpose of assessing the annual costs of the continuing care,
14 operation, repair, maintenance and replacement of the Tennyson II Street Pedestrian Mall, for the
15 upcoming year, upon the real property, exclusive of improvements thereon, benefited the Council
16 finds, as follows:

17 (a) A local maintenance district providing for the continuing care, operation, repair,
18 maintenance and replacement of the Tennyson II Street Pedestrian Mall, was created by
19 Ordinance No. 654, Series of 1998;

20 (b) The annual cost of the continuing care, operation, repair, maintenance and
21 replacement of the Tennyson II Street Pedestrian Mall is \$7,000.00 which amount the Manager of
22 Public Works has the authority to expend for the purposes stated herein;

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

27 (d) The real property within the Tennyson II Street Pedestrian Mall will be benefited in an
28 amount equal to or in excess of the amount to be assessed against said property because of the
29 continuing care, operation, repair, maintenance and replacement of said Pedestrian Mall.

30 **Section 2.** The annual cost of the continuing care, operation, repair, maintenance and
31 replacement of the Tennyson II Street Pedestrian Mall to be assessed against the real properties,
32 exclusive of improvements thereon, benefited are hereby approved.

33 **Section 3.** The annual costs of the continuing care, operation, repair, maintenance and
34 replacement of the Tennyson II Street Pedestrian Mall in the amount of \$7,000.00 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	BLOCK 2, MOUNTAIN VIEW	
8	BLOCK 2	
9	Lots	
10	25-30, 33-38, 45-46	\$174.55
11	31	\$169.94
12	32	\$179.15
13	39-40	\$176.12
14	41-42	\$172.98
15	43-44	\$186.76
16		
17	WEBER AND OWEN'S SUBDIVISION OF BLOCKS 1,4,6,9,12,14,19 ARGYLE PARK	
18	BLOCK 4	
19	Lots	
20	1-18	\$174.20

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 the
24 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
26 and 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 last
28 day of February of the year next following the year in which this assessing ordinance became
29 effective. A failure to pay said assessments as hereinabove set forth shall subject the property
30 subject to the assessment to sale as provided by the Charter of the City and County of Denver.

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

34

1 COMMITTEE APPROVAL DATE: (by Consent) November 1, 2012
2 MAYOR-COUNCIL DATE: (by Consent) November 6, 2012
3 PASSED BY THE COUNCIL: _____, 2012
4 _____ - PRESIDENT
5 APPROVED: _____ - MAYOR _____, 2012
6 ATTEST: _____ - CLERK AND RECORDER,
7 EX-OFFICIO CLERK OF THE
8 CITY AND COUNTY OF DENVER
9 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____, 2012; _____, 2012
10 PREPARED BY: Jo Ann Weinstein - ASSISTANT CITY ATTORNEY DATE: November 8, 2012
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 Douglas J. Friednash, City Attorney
16 BY: _____, Assistant City Attorney DATE: _____, 2012