

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2013

COUNCIL BILL NO. CB13-0719
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 Downing 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 South Downing 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 South Downing Street Pedestrian Mall, was created by Ordinance No. 784, Series of 1992;

(b) The annual costs of the continuing care, operation, repair, maintenance and replacement of the South Downing Street Pedestrian Mall are \$16,730.00 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 portion of the annual costs for the continuing care, operation, repair, maintenance and replacement of the South Downing Street Pedestrian Mall to be assessed against the properties, exclusive of improvements thereon, benefited are \$16,446.44;

(e) The portion of the annual costs of the continuing care, operation, repair, maintenance and replacement of the South Downing Street Pedestrian Mall to be borne by the City and County of Denver is \$283.56; and

(f) The real property within the South Downing 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 costs of the continuing care, operation, repair, maintenance and
2 replacement of the South Downing Street Pedestrian Mall to be assessed against the real
3 properties, 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 South Downing Street Pedestrian Mall in the amount of \$16,446.44 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	EVANSTON 2 ND FILING	
13	Block 33	
14	Lots	
15	18-19	\$283.56
16	North 1.0' Lot 20	\$11.34
17	South 24.0' Lot 20	\$272.22
18	21-23	\$283.56
19		
20	BLOCK 56	
21	Lots	
22	1-7	\$283.56
23	8 Except South 14.0'	\$124.77
24	8 South 14.0'	\$158.79
25	9-23	\$283.56
26		
27	MOUNTAIN VIEW PLACE 2 ND FILING	
28	Block 17	
29	Lots	
30	19-20	\$283.56
31	21-24	\$283.56
32		
33	BLOCK 24	
34	Lots	
35	1-4	\$283.56
36	5-11	\$283.56
37	12-23	\$283.56

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

41 **Section 5.** Without demand, said assessments as set forth in Section 3 herein, shall be due
42 and payable on the first day of January of the year next following the year in which this assessing
43 ordinance became effective, and said assessments shall become delinquent if not paid by the last

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

4 **Section 6.** Any unspent revenue and revenue generated through investment shall be
5 retained and credited to the South Downing Street Pedestrian Mall Local Maintenance District for
6 future long term or program maintenance of the District.

7 COMMITTEE APPROVAL DATE: (by Consent) October 17, 2013

8 MAYOR-COUNCIL DATE: October 22, 2013

9 PASSED BY THE COUNCIL: _____, 2013

10 _____ - PRESIDENT

11 APPROVED: _____ - MAYOR _____, 2013

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

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

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

17 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
18 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
19 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
20 §3.2.6 of the Charter.

21 Douglas J. Friednash, City Attorney

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