

1 **BY AUTHORITY**

2 ORDINANCE NO. _____
3 SERIES OF 2020

COUNCIL BILL NO. CB20-1105
COMMITTEE OF REFERENCE:
4 Land Use, Transportation & Infrastructure

5 **A BILL**

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

10
11 **BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:**

12 **Section 1.** Upon consideration of the recommendation of the Executive Director of the
13 Department of Transportation and Infrastructure that an ordinance be enacted for the purpose of
14 assessing the annual costs of the continuing care, operation, repair, maintenance and replacement
15 of the Consolidated Larimer Street Pedestrian Mall Local Maintenance District (“Consolidated
16 Larimer Street Pedestrian Mall”), for the upcoming year, upon the real property, exclusive of
17 improvements thereon, benefited, the Council finds, as follows:

18 (a) A local maintenance district providing for the continuing care, operation, repair,
19 maintenance and replacement of the Consolidated Larimer Street Pedestrian Mall, was created by
20 Ordinance No. 779, Series of 1997;

21 (b) The annual cost of the continuing care, operation, repair, maintenance and
22 replacement of the Consolidated Larimer Street Pedestrian Mall is \$45,000.00, which amount the
23 Executive Director of the Department of Transportation and Infrastructure has the authority to expend
24 for the purposes stated herein;

25 (c) The Executive Director of the Department of Transportation and Infrastructure has
26 complied with all provisions of law relating to the publishing of notice to the owners of real properties
27 to be assessed and to all persons interested generally, and the Council sitting as a Board of
28 Equalization has heard and determined all written complaints and objections, if any, filed with the
29 Executive Director of the Department of Transportation and Infrastructure;

30 (d) The Consolidated Larimer Street Pedestrian Mall currently has sufficient reserves to
31 pay for \$5,000.00 of the 2021 annual costs of the continuing care, operation, repair, maintenance
32 and replacement of the Consolidated Larimer Street Pedestrian Mall;

33 (e) The portion of the annual costs for the continuing care, operation, repair, maintenance
34 and replacement of the Consolidated Larimer Street Pedestrian Mall to be assessed against the
35 properties, exclusive of improvements thereon, benefitted is \$40,000.00; and

1 (f) The real property within the Consolidated Larimer Street Pedestrian Mall will be
2 benefited in an amount equal to or in excess of the amount to be assessed against said property
3 because of the continuing care, operation, repair, maintenance and replacement of said
4 Consolidated Larimer Street Pedestrian Mall.

5 **Section 2.** The annual cost of the continuing care, operation, repair, maintenance and
6 replacement of the Consolidated Larimer Street Pedestrian Mall to be assessed against the real
7 properties, exclusive of improvements thereon, benefited are hereby approved.

8 **Section 3.** The annual costs of the continuing care, operation, repair, maintenance and
9 replacement of the Consolidated Larimer Street Pedestrian Mall in the amount of \$40,000.00 are
10 hereby assessed against the real properties, exclusive of improvements thereon, within said local
11 maintenance district as follows:

12 NOTE: Where a series of lots is followed by "inclusive", the amount appearing after the series shall
13 be the total for all lots in the series. Where a series of lots is not followed by "inclusive", the amount
14 appearing after such series shall be the assessment for each lot in the series.

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16	EAST DENVER	
17	BLOCK 51	
18	Lots	
19	17 Except the Southwesterly 6.0'	\$318.12
20	18-32	\$418.17
21		
22	BLOCK 52	
23	Lots	
24	17-26	\$417.84
25		
26	BLOCK 63	
27	Lots	
28	1-16	\$417.84
29		
30	BLOCK 64	
31	Lots	
32	1-16	\$418.14
33		
34	THAT PART OF EAST DENVER COMMONLY KNOWN AS STECK'S ADDITION	
35	BLOCK 52	
36	Lots	
37	27-32	\$417.84
38		
39	BLOCK 53	
40	Lots	
41	17-32	\$417.17
42		
43	BLOCK 62	
44	Lots	
45	1-16	\$417.09

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

Section 5. Without demand, said assessments as set forth in Section 3 herein, shall be due and payable on the first day of January of the year next following the year in which this assessing ordinance became effective, and said assessments shall become delinquent if not paid by the last day of February of the year next following the year in which this assessing ordinance became effective. A failure to pay said assessments as hereinabove set forth shall become a lien on the property subject to the assessment, and such lien may be sold by the City as provided by the Charter and ordinances of the City and County of Denver.

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

COMMITTEE APPROVAL DATE: October 13, 2020 by Consent

MAYOR-COUNCIL DATE: October 20, 2020

PASSED BY THE COUNCIL: _____ November 2, 2020

Stacie Filmore - PRESIDENT

APPROVED: _____ - MAYOR _____

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

NOTICE PUBLISHED IN THE DAILY JOURNAL: _____ ; _____

PREPARED BY: Bradley T. Neiman, Assistant City Attorney DATE: October 22, 2020

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

Kristin M. Bronson, Denver City Attorney

BY: *Kristin M. Bronson*, Assistant City Attorney DATE: Oct 21, 2020